

U.S. DEPARTMENT OF COMMERCE

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NATIONAL OCEANIC AND ATMOSPHERIC  
ADMINISTRATION

+ + + + +

MARINE FISHERIES ADVISORY COMMITTEE

+ + + + +

TUESDAY,  
OCTOBER 19, 2010

+ + + + +

The Marine Fisheries Advisory Committee met at Historic Inns of Annapolis-Maryland House, 6 Church Circle, Annapolis, Maryland, Tom Billy, Chair, presiding.

MEMBERS PRESENT:

- TOM BILLY, Chair
- HEATHER D. McCARTY, Vice Chair
- TERRY ALEXANDER
- RANDY CATES
- ANTHONY CHATWIN
- PAUL CLAMPITT
- PAMELLA J. DANA
- BILL DEWEY
- PATRICIA DOERR
- MARTIN FISHER
- CATHERINE L. FOY
- KEN FRANKE
- STEVE JONER
- GEORGE C. NARDI
- TOM RAFTICAN
- KEITH RIZZARDI
- DAVID H. WALLACE

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CONSULTANTS TO MAFAC:

RANDY FISHER  
JOHN V. O'SHEA

STAFF PRESENT:

MARK HOLLIDAY, Designated Federal Official  
HEIDI LOVETT  
KARI MacLAUHLIN  
STEPHEN BROWN  
TOM BROSNAN (via telephone)  
GORDON COLVIN  
PAUL DOREMUS  
RUSS DUNN  
LORENZO JUAREZ  
KATE NAUGHTEN  
GARY REISNER

ALSO PRESENT:

STEVE ALEXANDER  
MACKENZIE HUFFMAN  
HILARY ROBINSON

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C-O-N-T-E-N-T-S

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Adjourn	

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1 P-R-O-C-E-E-D-I-N-G-S

2 8:40 a.m.

3 CHAIR BILLY: Okay, it's now my  
4 pleasure to call to order, the MAFAC  
5 Committee. It's really nice to be here in  
6 Annapolis, sort of in my neighborhood, makes  
7 it easier for some of us, but I was thinking  
8 about the long trips that some have to make to  
9 get here, particularly from Alaska and the  
10 West Coast. So, that's appreciated.

11 It's a great venue and there's a  
12 lot going on here, particularly this week.  
13 So, hopefully, we'll have some time in the  
14 evenings, or whatever, to take advantage of  
15 that.

16 I'm going to first call on Mark, to  
17 provide some opening remarks. So, Mark, the  
18 floor is yours.

19 MR. HOLLIDAY: Thanks, Tom, and good  
20 morning, everybody. I'd like to let you know  
21 why I'm giving these remarks, instead of Eric  
22 or Sam.

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1           Eric Schwab is currently in  
2 Clearwater, Florida. He's speaking to the  
3 Gulf States Marine Fisheries Commission,  
4 annual meeting, but he will be flying back  
5 this evening and he'll be with us tomorrow  
6 morning, and he sends his regrets for not  
7 being able to be in two places at once, and he  
8 asked Sam Rauch, the Deputy Assistant  
9 Administrator for Regulatory Programs, to sit  
10 in for him today.

11           Unfortunately, Sam's wife took ill  
12 last night and was hospitalized. She's okay,  
13 and she's supposed to be released from the  
14 hospital this morning, but he's unable to give  
15 his full attention to MAFAC duties.

16           So, he asked me to step in this  
17 morning, and I'll be giving his presentation  
18 on the National Ocean Policy later today, to  
19 give you an update on that.

20           So, I did want to say a few things  
21 about what's going on within NOAA and the  
22 Fisheries Service. It's certainly been a

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1 challenging year. You know, we had all of our  
2 attention draw to the Deepwater Horizon  
3 incident, since this Spring, and we spoke  
4 extensively about that at our Juneau meeting.

5           Since then, we've been working very  
6 diligently on the next phase of that, and we  
7 have presentations on the agenda to talk about  
8 the status and updates of what's happening in  
9 the Gulf of Mexico, and then the next steps  
10 associated with that.

11           On the Fisheries Management front,  
12 there has been a lot happening, as well.  
13 We'll be hearing from Monica Medina tomorrow,  
14 who will be joining us, to talk about some of  
15 the big picture NOAA policy issues that are on  
16 the table, including the implementation of the  
17 National Ocean Policy, catch shares, fisheries  
18 management initiatives, both in the New  
19 England sector program and the Pacific Coast  
20 Trawl IFQ program, and we have on the agenda  
21 for tomorrow, discussion about the enforcement  
22 initiatives and the enforcement action plan.

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1           So, I think in addition to those  
2 topical issues about subject matter policy  
3 issues important to MAFAC, Monica is also here  
4 to talk to us about the role of MAFAC, the  
5 more general concerns that we've raised and  
6 that were in Tom's letter to Dr. Lubchenco, on  
7 behalf of the Committee, with respect to NOAA  
8 leadership's view of MAFAC's role and the  
9 issues that would be upcoming for discussion  
10 and work on by the Committee.

11           So, tomorrow morning, Monica will  
12 be here, probably -- she'll be here at the  
13 start, probably until 11:00, when she has to  
14 head to the airport. So, we can do some  
15 preparation today, to be prepared to have a  
16 good discussion with her.

17           On the logistics side, you know,  
18 Annapolis is the capital of Maryland. It's  
19 got a rich colonial history, very important  
20 to, you know, the founding of our Nation.  
21 It's a historic site. I hope the hotel itself  
22 is not too antiquated for your modern needs,

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1 but it really is a very walkable town.

2 As you walk down Main Street, there  
3 is a lot of shops and boutiques and  
4 restaurants and pubs and bars and as you go  
5 towards the water, unless you're from Newport,  
6 Rhode Island, Annapolis is the sailing capital  
7 of the world, and so, it's got a very nautical  
8 flavor, and you know, there is a lot of things  
9 that are historic, within walking distance,  
10 the William Paca House and the State Capital  
11 across State Circle.

12 So, those who are interested in,  
13 you know, learning a little bit more about the  
14 historic aspects of Annapolis and walking  
15 tours, see one of us, or the hotel can help  
16 direct you to things that you can take  
17 advantage of while you're here.

18 So, I don't want to belabor the  
19 point, but I did want to welcome you. Again,  
20 this is an important meeting for us. We're  
21 sort of planning our agenda for the next year,  
22 finishing up some important topics that we've

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1 already raised, and if I were to say there was  
2 a theme for this meeting, you know, the last  
3 meeting, we spent a lot of time talking about  
4 protected resources. We had Jim Lecky talking  
5 to us about the content of their program and  
6 their approach to threatened and endangered  
7 species, under the Endangered Species Act.

8 The theme for this meeting, we're  
9 trying to give a little bit more flavor on the  
10 habitat side, by having speakers talk about  
11 the habitat assessment improvement plan and  
12 sort of the third leg of the three-legged  
13 stool of fisheries, protected resources and  
14 habitats that NOAA Fisheries is involved with.

15 So, we wanted to try to provide  
16 that perspective, as part of our ongoing  
17 objective of getting MAFAC involved, not just  
18 in the fisheries management side of things,  
19 but the broader context of what NOAA and NOAA  
20 Fisheries are involved with, and this is a  
21 really remarkable time for the habitat  
22 program, both in their restoration efforts in

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1 the Gulf, and their ongoing habitat  
2 restoration efforts, as well as the Habitat  
3 Assessment Improvement Plan.

4 We do have one or two special  
5 events planned. During the course of the  
6 meeting, on Wednesday evening, we have  
7 scheduled a group dinner. Most of you know  
8 that this is Tom's official last meeting as a  
9 member of MAFAC. His term expires in January,  
10 and so, we were hoping to celebrate the  
11 success and his contributions Wednesday  
12 evening, at a local restaurant.

13 And on Thursday morning, we have a  
14 very brief tour of a living shoreline  
15 restoration site, within walking distance of  
16 the hotel here, an example of a habitat  
17 restoration grant to a local community, that's  
18 taken a hardened shoreline and rehabilitated  
19 it into a living shoreline, just to give you  
20 an example, and we'll have a guide from our  
21 local Chesapeake Bay Program Office speak to  
22 us about this particular project, but in the

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1 larger context of habitat restoration grant  
2 and community funded restoration projects.

3 So, I think there are some  
4 interesting items that we have on the agenda.

5 As I said, Eric will be with us beginning  
6 tomorrow, along with Monica Medina, and I'll  
7 do my best to help keep the ship of state  
8 afloat and moving in the right direction  
9 today, in Sam's stead, and turn it back to  
10 Tom.

11 (Off the record comments.)

12 MR. HOLLIDAY: For those who drive  
13 daily here, Heidi has arranged to get  
14 complimentary parking passes for the valet  
15 parking.

16 MS. LOVETT: You just have to give  
17 you name at the valet desk.

18 MR. HOLLIDAY: Okay.

19 MS. LOVETT: They have a list of the  
20 names of people.

21 MR. HOLLIDAY: And the valet desk is  
22 located at the Calvert --

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1 MS. LOVETT: Governor Calvert.

2 MR. HOLLIDAY: -- which is around -  
3 - go ahead, speak up.

4 MS. LOVETT: Yes, sorry. So, we're  
5 on Church Circle. There is a side street one  
6 of the small side streets, School Street,  
7 which is in this direction, goes to another  
8 circle that is called --

9 MR. HOLLIDAY: State Circle.

10 MS. LOVETT: -- State Circle, thank  
11 you. It's around the State House, and you go  
12 about three blocks and you'll see the Governor  
13 Calvert Hotel.

14 I think it sits between East and --  
15 I forget the next street, but it was in an  
16 email to you, the directions -- or I guess, it  
17 was in an email for the local folks. I'm  
18 sorry.

19 CHAIR BILLY: Where we checked in.

20 MS. LOVETT: Right, it's exactly  
21 where you checked in, the valet desk, is right  
22 in the front there.

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1           So, if you have a car and you wish  
2 to get it, to do something in the evening or  
3 go to lunch somewhere else, if you need it,  
4 give them a call.

5           There is a house phone in the  
6 lobby. You just pick it up and it goes  
7 automatically to the front desk, and if you  
8 give your number on your valet ticket, they'll  
9 bring the car around to here for you.

10           MR. HOLLIDAY: And if you already  
11 parked in the public garage, don't worry about  
12 it. You'll be reimbursed for the costs. We  
13 try to make it convenient for you, for those  
14 who are doing the daily commute back and  
15 forth.

16           We have food, and we'll have breaks  
17 in the morning and the afternoon, in the  
18 anteroom. If you have any questions about the  
19 hotel, the logistics, ask me, ask Heidi. We  
20 will be glad to help you out, with anything,  
21 your arrangements, or hotel accommodations.

22           VICE CHAIR McCARTY: Is lunch in

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1 here or out?

2 MR. HOLLIDAY: Lunch is on your own.

3 You can walk right out the front door to the  
4 Subway sandwich shop, or we have some other  
5 recommendations, if you're interested.

6 (No response.)

7 CHAIR BILLY: Okay, any other  
8 questions? All right, thanks, Mark. I'd like  
9 to take a quick look at the agenda. Mark has  
10 provided a lot of general information and some  
11 comments on the agenda, but I'd like to add my  
12 own.

13 I look forward to the updates on  
14 the Deepwater Horizon, and where things stand,  
15 and in particular, the role that NOAA  
16 continues to play in that regard.

17 You'll see at ten o'clock, we have  
18 MAFAC business that includes some past action  
19 items, where they stand.

20 Since I'm rotating off the  
21 Committee, we need to go through a process of  
22 identifying a new Chair, and we'll start that

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1 process this morning, and there is also -- I  
2 think it's important that we sort of set the  
3 agenda, as Mark suggested, for the next year,  
4 at least to the extent we can, at this time,  
5 in term of how many meetings and sort of, a  
6 general focus, based on where we're at, at  
7 this stage.

8 We'll then move on. There is --  
9 you all have received now, the latest version  
10 of the NOAA strategic plan or next generation  
11 strategic plan, from NOAA. It's pretty  
12 obvious that they took a lot of our  
13 suggestions and comments, but we'll have a  
14 chance to look at that, and see if we have any  
15 interest and further input, in that regard.

16 The next thing I wanted to mention  
17 was the Rec Fishing Committee and  
18 Subcommittee, getting an update on the work  
19 they've been doing. There has been some real  
20 progress there, so, I look forward to hearing  
21 about that.

22 There is the update on enforcement,

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1 and some of you saw that there was a  
2 suggestion that this might, in particular, be  
3 an area for MAFAC input into the process  
4 that's underway to review and perhaps revamp  
5 the whole enforcement strategy that NOAA has  
6 with regard to fisheries.

7 Then last, the Committee meetings  
8 are the normal approach. The one last item I  
9 wanted to call your attention to is on  
10 Thursday morning.

11 I've been struck over, now, several  
12 years about two things that are happening that  
13 run counter to each other and I believe need  
14 to be considered and addressed, and that is in  
15 the area of NOAA services.

16 This Committee, with respect to  
17 fisheries management, aquaculture and in a  
18 number of other instances, has talked about  
19 our interest and concern about fishing  
20 communities, with the waterfront, the need to  
21 ensure that they're maintained and adequate to  
22 meet the future needs of not just commercial

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1 fishing, but recreational fishing, and the  
2 other uses of the ocean, and the possibility  
3 that NOAA can play a more active role in  
4 interacting with the users of the ocean,  
5 particularly in the fisheries area, obviously,  
6 that -- by providing more information,  
7 education and ongoing services.

8 NOAA used to do that. The old  
9 Fisheries Service used to provide all kinds of  
10 assistance and active interactions with the  
11 people that fish or recreationally fish, but  
12 it's far more limited now. Most of those  
13 programs, in that capacity, have been phased  
14 out by NOAA Fisheries.

15 It just seems to me that it's  
16 timely -- it would be timely to reconsider  
17 this whole area, and what it is that NOAA  
18 ought to be doing to better support those that  
19 depend on the ocean and fishing and fisheries,  
20 in terms of capacity, people, the resources,  
21 those kinds of things.

22 So, my intent was to start that

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1 discussion, and then see where it leads to.  
2 So, that's sort of an area -- it's open-ended.

3 It's not limited to anything, just have that  
4 discussion and see -- I know there is similar  
5 thinking going on within the Agency, and so,  
6 we can learn about that and then, consider  
7 what MAFAC might want to do in the future, in  
8 that regard.

9 Are there any questions about the  
10 agenda?

11 (No response.)

12 CHAIR BILLY: One last thing. Mark  
13 has to leave this afternoon, and so, we may  
14 want to shift the presentation, Sam's  
15 presentation after lunch, to before lunch.

16 MR. HOLLIDAY: We'll see, we're  
17 going to try to play this by ear. If there is  
18 time left on this morning's agenda, that we  
19 can do Sam's presentation before lunch, I'd  
20 appreciate that. I have to go give a talk at  
21 the New Council Member Orientation, back in  
22 D.C. at -- I have to be there for three

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1 o'clock.

2 So, if not, I can do it, but I need  
3 to leave here by two p.m. this afternoon. So,  
4 at any point, we can make that judgment, as we  
5 go along.

6 CHAIR BILLY: All right, just so  
7 you're aware of it. Tom?

8 MR. RAFTICAN: Yes, also on the  
9 agenda this morning, you've got MAFAC business  
10 items.

11 Normally, we would cover that in  
12 the third day, on a Thursday. Would it make  
13 sense to move that over and give the floor to  
14 --

15 CHAIR BILLY: Mark?

16 MR. HOLLIDAY: So, the reason we  
17 moved it to the first day, we're going to lose  
18 a couple of members on Thursday -- over the  
19 course of the meeting. So, I felt while we  
20 had the majority of the people here, we can  
21 try to do that business --

22 MR. RAFTICAN: Maybe Wednesday might

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1 be better then.

2 MR. HOLLIDAY: Well, we're losing  
3 one person, at least, tomorrow. Two people  
4 won't be here tomorrow. It's certainly the  
5 Committee's call.

6 We can do it whatever day you like.

7 I was trying to -- my intent was to maximize  
8 the number of people who would be here for  
9 that discussion, that's all. Most people were  
10 going to be here on the first day.

11 MR. RAFTICAN: Okay.

12 CHAIR BILLY: Heather?

13 VICE CHAIR McCARTY: I have a  
14 question. On the first afternoon Subcommittee  
15 meeting --

16 MR. HOLLIDAY: Yes.

17 VICE CHAIR McCARTY: C- the  
18 Recreational Fisheries --

19 MR. HOLLIDAY: Yes.

20 VICE CHAIR McCARTY: -- are those  
21 presentations going to be given in the  
22 Subcommittee or are we all going to get to

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1 hear it?

2 MR. HOLLIDAY: Those were under the  
3 Subcommittee.

4 VICE CHAIR McCARTY: Okay.

5 CHAIR BILLY: We'll hear it on  
6 Thursday.

7 VICE CHAIR McCARTY: We'll hear it  
8 the same day, on Thursday?

9 CHAIR BILLY: Well, a summarization,  
10 yes.

11 VICE CHAIR McCARTY: Okay, because I  
12 was interested in it.

13 MR. HOLLIDAY: All the materials  
14 that are being presented to the Subcommittees  
15 are posted on the MAFAC site.

16 The presentations to the  
17 Subcommittee from Gordon will not be repeated,  
18 but the information is there and then any  
19 recommendations or actions coming out from the  
20 Subcommittee, back to the full Committee,  
21 would happen on Thursday.

22 CHAIR BILLY: Any other questions,

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1 comments, suggestions?

2 MR. HOLLIDAY: Some people had  
3 trouble logging on to the local network here.  
4 Those who didn't get the password, it's  
5 `Pumpkin'.

6 But we have a copy of all of the --  
7 a clean copy of all of the files that are on  
8 the internet site, on the thumb-drive, if  
9 people want to borrow it and load it onto  
10 their laptop.

11 MR. RAFTICAN: Could you spell that?

12 MR. HOLLIDAY: P-U-M-P-K-I-N,  
13 Pumpkin, round, orange orb, traditionally  
14 found in the months of October, in patches.

15 (Off the record comments.)

16 CHAIR BILLY: Heather?

17 VICE CHAIR McCARTY: Regarding the  
18 MAFAC business?

19 CHAIR BILLY: Yes.

20 VICE CHAIR McCARTY: If the intent  
21 is that we're going to have an election, I  
22 think that we need more time to discuss that

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1 during the day, today.

2 So, I would recommend that we move  
3 that agenda item at least towards the end of  
4 the day. I don't know who is going to be  
5 missing at that point, but I would prefer that  
6 we have a little time. Just an idea, as Tom  
7 suggested.

8 CHAIR BILLY: Are there other  
9 thoughts about that, anyone?

10 MR. HOLLIDAY: So, why don't we  
11 discuss this during the first break, and see  
12 what we can do about it?

13 CHAIR BILLY: Okay, good idea.

14 MR. HOLLIDAY: We'll do that.

15 CHAIR BILLY: Good.

16 MR. HOLLIDAY: Does that make sense?

17 VICE CHAIR McCARTY: Yes, that's  
18 good.

19 CHAIR BILLY: All right, so, I'd  
20 like to move on. So, the first agenda item is  
21 Deepwater Horizon. Heidi, are we going to  
22 follow the -- is Stephen going to be first?

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1 MS. LOVETT: No, oh, yes, Steve is  
2 going to be first.

3 CHAIR BILLY: Okay.

4 MS. LOVETT: And I am going to dial  
5 into the speaker phone, because Tom would like  
6 to hear Steve's presentation, and I just  
7 called him to --

8 CHAIR BILLY: Okay.

9 MS. LOVETT: So, just give me a  
10 second.

11 CHAIR BILLY: All right.

12 Okay, our first presenter is  
13 Stephen Brown. He's the Chief of the  
14 Assessment & Monitoring Division, Office of  
15 Science & Technology. Stephen, the floor is  
16 your's.

17 MR. BROWN: Okay, thanks. I'm going  
18 to be talking, as it says on this slide, about  
19 the science side of the Deepwater Horizon  
20 event, for monitoring, assessment and  
21 mitigation, and I do want to point out that  
22 although I'm talking about this, there is a

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1 lot of people who have been working on this  
2 within NOAA.

3 My co-Chair is Steve Murawski, who,  
4 as you know, is the Chief Scientist, Todd  
5 Gedamke and Lisa Desfosse are at the Southeast  
6 Fisheries Science Center, and there are many  
7 other people who have contributed to this.

8 Just as a little editorial comment  
9 here, NOAA people really have stepped up big  
10 time as individuals. They have really seen  
11 this event as a -- it's a regional event,  
12 obviously, but it's at the national scale, in  
13 terms of significance and many, many people  
14 have worked very hard and are continuing to  
15 work on the spill response and recovery.

16 Let me give you a little  
17 perspective, as to where I'm coming from, so,  
18 you -- because, you know, my talk is going to  
19 be based on, you know, my view of the world,  
20 to some extent here, and I don't expect you to  
21 read this, but this is sort of an org chart of  
22 the response from the NOAA Headquarters

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1 perspective.

2           So, there is Dr. Lubchenco up  
3 there, her senior staff. I am over here, in  
4 this red thing, red circle here. These are  
5 sort of issue teams. This is the so-called  
6 science box, and that's chaired by Steve  
7 Murawski, and has representatives from all the  
8 NOAA line offices on it, and in that box are -  
9 - there are several, what we call team-teams,  
10 one of which is Living Marine Resources.

11           Over here. This is sort of the --  
12 can't have fat fingers and operate this thing.

13           Okay, this is the -- sort of the  
14 headquarters coordinating body. This is David  
15 Kennedy, who is the NOS Acting Assistant  
16 Administrator, and his team, over here are  
17 some of the functional groups, like  
18 Legislative Affairs and the General Counsel,  
19 et cetera.

20           But this is kind of my perspective  
21 here, the science box.

22           One other thing, in the way of

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1 context setting. As Mark already alluded to,  
2 the Ocean Policy Task Force has been at work  
3 and released their final recommendations, back  
4 in July, during the middle of the spill event,  
5 and I don't want to spend a lot of time on  
6 this, but basically, they identified nine  
7 national priority objectives, ecosystem based  
8 management being right at the top.

9 And so, as we're responding to the  
10 spill event, this was going on, in terms of  
11 the federal government trying to organize  
12 itself, to respond to ocean issues, in  
13 general.

14 All right, so, what are the issues?

15 What are we concerned about with the spill?  
16 Well, here are the main biggies here.

17 Distribution and fate of the oil.  
18 Where is it now? Where is it going? How much  
19 of it is there? What's going to happen to it,  
20 and then, of course, what's the significance  
21 of it in terms of the impacts, especially from  
22 our standpoint, seafood safety, living

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1 resources, ecosystem structure and function,  
2 and what are we going to do in the long term,  
3 because obviously the spill has been shut down  
4 for a couple months now, and so, we're in --  
5 we're phasing out of the response perspective  
6 and on into restoration and recovery.

7           Okay, so, this is a little thumb-  
8 nail sketch of sort of the scale of the  
9 response, and incidentally, if you're -- you  
10 want to get an update on this information, and  
11 this slide is actually -- I made it up last  
12 week, it's already a little out of date, you  
13 can go to this website here,  
14 restorethegulf.gov, and get the latest  
15 information on it.

16           But here is just sort of a thumb-  
17 nail sketch of the big picture. United Area  
18 Command has about 16,000 plus people working  
19 on the spill still. There's been 31,000 or so  
20 sediment samples, or water samples collected,  
21 2,700 seafood samples collected, 90 percent of  
22 federal waters opened, and actually, this was

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1 as of Thursday, I believe. They since, have  
2 opened another three percent. So, this is a  
3 little out of date, already.

4 There is still some shoreline  
5 oiling going on, especially in Louisiana,  
6 moderate to heavy 98 miles. So, the event is  
7 still unfolding, as we're transitioning into  
8 the response and -- or to the recovery phase.

9 So, the first question is, how much  
10 of the oil was there and where did it go, and  
11 here is a slide. Maybe some of you have seen  
12 things like this before. There is the well  
13 head, Mississippi Delta, up in here, and the  
14 darker the colors, the more oil.

15 So, you know, it kind of has this  
16 sort of orientation. A lot of it did move  
17 toward shore. This is surface oil, here.  
18 There has been a lot of discussion, of course,  
19 about the deep plume, so-called deep plume,  
20 and that's an area where we're still doing a  
21 lot of investigation to understand what's  
22 there, where is it, how much of it is there,

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1 where is it going.

2 But this is kind of a thumb-nail  
3 sketch of the event, how much -- where the oil  
4 went.

5 So, that was a sketch, basically, a  
6 diagram of where the oil was on the surface,  
7 but there is a lot underneath the surface, as  
8 has been widely discussed, and there is a  
9 plan, which is currently being implemented, to  
10 understand this information, of where is it,  
11 how much of it is there, where is it, what's  
12 happening to it.

13 The Unified Area Command released  
14 this plan back late September. It's still  
15 considered a draft plan, but they are  
16 implementing, already.

17 There is a plan that covers a lot  
18 of information about sampling, data sharing,  
19 who is going to do it, where is the oil and  
20 so, they're monitoring and assessing the oil,  
21 the degradation products in the water and  
22 sediments, evaluating the dispersants and

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1 what's happening to them, and developing as a  
2 consequence of that information any additional  
3 response requirements that might be needed.

4           They consider that there are three  
5 spatial domains that have very specific kinds  
6 of sampling requirements, near shore, off-  
7 shore, which is basically the shelf, and then  
8 beyond the shelf in deepwater, and it's open-  
9 ended, in terms of the time frame. It's  
10 adaptive, in the sense that as they do the  
11 surveys, as they gather more information, they  
12 can continue to respond to adapt to it, to do  
13 further sampling, so that they can fully  
14 characterize what's happening to the oil.

15           A big concern to this group, I'm  
16 sure, and to the public at large, is seafood  
17 safety. Obviously, if you have a spill of  
18 that magnitude, in an area that produces a lot  
19 of seafood, this is a big concern. The public  
20 is concerned about it. The fishing  
21 communities who depend upon these resources  
22 for their living are concerned about it.

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1           So, the plan then is to ensure the  
2 safety, any seafood coming out of the Gulf of  
3 Mexico, this program is designed to make sure  
4 that it's safe and wholesome to eat.

5           At the same time, trying to  
6 minimize the impacts to the seafood industry  
7 and keep abreast of what's going on with the  
8 species that are being harvested.

9           This is a partnership between FDA,  
10 NOAA and state agencies, and the way it is  
11 organized, the basic element is -- the basic  
12 way you take care of this is, you close areas  
13 that are of concern, and this, I'm sure many  
14 of you are aware, the Southeast Regional  
15 Office has been on top of this and they closed  
16 it at the peak, 37 percent of the Gulf to  
17 fishing, and it's now down to about seven  
18 percent.

19           So, they progressively opened it up  
20 as seafood safety studies, I'll get to this in  
21 a second, have shown, that it's safe.

22           The elements of the monitoring

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1 itself are sampling, at-sea sampling, dockside  
2 sampling and market sampling, and there is two  
3 types of analyses, so-called `sniff' test, and  
4 it turns out, people are actually very good,  
5 biologically at sensing the PAH's, the  
6 substances in the oil.

7 So, the `sniff' test is complemented then, by  
8 actual lab analyses of the tissues.

9           There is a re-opening protocol, and  
10 actually, you can download it. There is the  
11 website right there, the Southeast Regional  
12 Office, but you can get to it from the NOAA  
13 website.

14           The basic idea here is that an area  
15 that's been previously exposed to oil has to  
16 be free of oil, and the seafood products there  
17 have to be tested to meet FDA standards. And  
18 so, it's the same sort of protocol that I just  
19 mentioned, sensory testing, sniffing, tasting,  
20 and the chemical analyses, and compared to the  
21 regulatory levels of concern. So, this  
22 protocol is still being worked on and this is

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1 what's applied, when they want to re-open  
2 additional areas in the Gulf.

3 We are looking to the future, to  
4 maintain a seafood monitoring program. So, we  
5 have a request in for funding from BP, for a  
6 three to five year program, and there are two  
7 major elements, at-sea sampling, the plan  
8 would be to take 2,400 samples in the next  
9 calendar year, ramp that down by 2013 to half  
10 of that level. Also, dockside sampling of  
11 fish and shellfish, different tissues, as well  
12 as an economic monitoring component.

13 So, this is still under discussion,  
14 but it would certainly be our intent to  
15 implement something at this scale and of this  
16 type.

17 On to the dispersant, the so-called  
18 Corexit 9500. About 1.8 million gallons of  
19 dispersant were used during the spill and  
20 there's a lot of controversy about that, but  
21 that's a fact of life that, from our  
22 standpoint, we just have to take into account.

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1 So, clearly, you want to know what happens to  
2 that? What's the fate of it? How does it  
3 affect seafood and the environment, in  
4 particular?

5 So, we have had a program,  
6 cooperative program between our Southeast  
7 Fisheries Science Center and Northeast  
8 Fisheries Science Center. Southeast, of  
9 course, is where the event is, and our  
10 exposure studies are actually being done in  
11 the Galveston lab. The Northwest Center has a  
12 very good analytical capability. So, they're  
13 taking the samples from the test exposures and  
14 analyzing them. So, they had to work out the  
15 protocols, how do we analyze for the  
16 materials, and detect them and quantify them?

17 So, here is a bit about the  
18 protocol. The exposure rates are about what  
19 you would expect to find in the environment,  
20 as well as higher levels, just to kind of see  
21 what the end-points are, in terms of the  
22 absorption by the organisms, and here are the

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1 species that were tested. There are five test  
2 species, two shrimp, oysters and two fish, red  
3 snapper and red drum.

4 These are ongoing. The exposure studies, as I  
5 said, they're going on in the lab in  
6 Galveston. So, this is still underway.

7 Okay, on to fishery-independent  
8 surveys in the area. Those of you who are  
9 from that area, are probably familiar with the  
10 SEAMAP program. This has actually been an  
11 ongoing fishery independent survey program,  
12 since 1982. It's grown over the years, and it  
13 has these components here, long-line, trawls,  
14 as well as quite a bit of plankton work, and  
15 so, I'm going to talk a bit about this.

16 Here is the sampling grid, up on  
17 the map here, for the plankton surveys, and  
18 here is some summary statistics. This is  
19 current as -- through 2008. Some 360 cruises  
20 have been taken, 34,000 plankton samples and  
21 4.3 million actually individual larvae been  
22 collected. Here is some examples of the gear

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1 that's used to do this survey.

2           So, this has been ongoing,  
3 obviously, before the spill, and so, this  
4 gives us something to compare with, in the  
5 post-spill. But we -- let's see, all right,  
6 I'm getting ahead of myself.

7           All right, here is a slide about  
8 bluefin tuna. Bluefin tuna has received a lot  
9 of attention down there. There is a lot of  
10 concern that bluefin tuna, which is a species  
11 that's under a lot of pressure from the over-  
12 fishing, not just here -- in fact, not here,  
13 mostly internationally.

14           And so, here is a slide that shows  
15 the purple circles are larval abundances from  
16 the Spring surveys of SEAMAP and the yellow  
17 spots here are adult bluefin tuna abundance  
18 from the Pelagic Observer Program from 2007 to  
19 2009. This is supposed to show a projection  
20 of where the spill occurred. This is a little  
21 bit under-stated here. It was a little bigger  
22 area than that. So, you can see that there is

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1 potential interaction with bluefin tuna. So,  
2 this is why there is a concern.

3 This next slide shows some of the  
4 SEAMAP data and the larvae industries are  
5 actually using some of the stock assessments.

6 Here is bluefin tuna, over here, and here is  
7 the abundance of larvae over time, and so, you  
8 can see, you know, it's under quite a bit of  
9 pressure, anyway, even without the spill, and  
10 so, well, that's an example of the use of the  
11 SEAMAP information and why bluefin tuna is a  
12 concern.

13 The SEAMAP program has actually  
14 ramped up quite a bit, in terms of their  
15 plankton surveys, and this slide shows the  
16 cruises that have taken place this year, in  
17 the SEAMAP program.

18 The blue ones are -- were existing  
19 surveys that were planned, that were modified.

20 The red ones were additional surveys. So,  
21 it's about half and half, new surveys and  
22 enhancement of the existing surveys,

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1 specifically studying plankton in the region.

2 Here is our number of samples. So, it's  
3 about 3,000 samples collected, and there is  
4 environmental data taken along with it, like  
5 CTV cast, water samples and so forth. So,  
6 that's a quick overview of the SEAMAP  
7 plankton.

8 The SEAMAP program, in general, has  
9 -- actually, even before the spill, was doing  
10 some sort of self-assessment, to decide how to  
11 kind of move into the 21<sup>st</sup> century and enhance  
12 their survey design. Then the spill happened,  
13 so that was an additional complication.

14 There were two workshops that have  
15 been held. One in August here, and here is a  
16 copy of the cover shot of the report. This  
17 was -- and then this one was a meeting held,  
18 just last month, to basically consider how  
19 should we modify the SEAMAP surveys, to  
20 improve the precision of the data that comes  
21 out of it, improve the ability to do stock  
22 assessments, and in particular, what do we

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1 need to do to get a better handle on the  
2 impacts of the spill, specifically.

3 So, there is really kind of two  
4 prongs, the existing plans for enhancing the  
5 survey design, as well as, how do you build an  
6 assessment or how do you build your surveys or  
7 modify your surveys, to respond to the spill,  
8 in particular, and this, of course, is a big  
9 concern. What are the long-term effects on  
10 the fish stocks in the region, and this,  
11 they're still working on the report. So, it  
12 hasn't come out yet.

13 This is just a quick graphic here.  
14 NMFS has done some tagging work. This is  
15 bluefin tuna. Tuna were tagged, back in May,  
16 and their normal life history is, they're  
17 spawning in here, in the sort of late  
18 winter/early spring, and then they get out of  
19 town and go up here, and this is just kind of  
20 their normal trajectory. There have been a  
21 number of other tagging studies, in addition  
22 to NOAA.

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1           Okay, that's kind of the story for  
2 fish. On to protected species, another big  
3 concern for Fisheries Service, and a big  
4 concern in the area. Here, we see some  
5 information that came from some helicopter  
6 flights, that went from the spring through  
7 mid-summer, to the end of July. The focus is  
8 here, in the area around the oil, the oil  
9 well, and here, just a number of species that  
10 were detected in that vicinity. The idea here  
11 is just to see what's in the area, what's  
12 potentially affected by the actual presence of  
13 oil.

14           And so, here, we have bottlenose  
15 dolphin, several species of dolphin, sperm  
16 whale are the red squares, Cuvier's beaked  
17 whale is green, and so, they actually observed  
18 some sea turtles in there, too. But you can  
19 see that obviously, in the vicinity of the oil  
20 well, in the area that received the oil,  
21 clearly, there are marine mammals that do  
22 naturally occur in that area. So, that's a

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1 big concern.

2 This next slide shows some over-  
3 flights, and this is a different type of  
4 flight. These are done not from the  
5 helicopter, but from the NOAA Twin Otters.  
6 These are meant to be quantitative. So, here,  
7 you see flight tracks, looking for marine  
8 mammals and sea turtles and the -- I'm sure  
9 you can't see it here, but there are spots  
10 along here, to show what species were  
11 identified. These are meant to be  
12 quantitative surveys.

13 These transects were flown every  
14 two weeks, starting in early April through  
15 September. The focus is on bottlenose dolphin  
16 and the larger sea turtles that are visible  
17 from the air. So, quite a bit of work has  
18 gone into understanding where the species are,  
19 how many of them are out there, what are  
20 potentially impacted by the spill, and just  
21 for reference, that blue cross there, that  
22 probably most of you can't see, but it's right

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1 there, is where the well head is.

2 Okay, an additional aspect of the  
3 marine mammal work that we've been involved  
4 with are these passive acoustics stations, and  
5 they're planted along here. There are some --  
6 and these are really oriented toward looking  
7 at off-shore species and a regional approach.

8 These passive acoustics basically  
9 listen to see what species are out there.  
10 It's about 20 or so species of marine mammals  
11 that occurred in the region, including  
12 endangered sperm whale -- yes, sperm whales.

13 In addition, there have been 12  
14 sperm whales that received satellite tags.  
15 These tags will last about a year, to track  
16 their movements. The passive acoustics  
17 stations have about a four month life, and  
18 then they have to be recovered.

19 So, this is ongoing work in the region, to get  
20 a better understanding of the distribution and  
21 the movements of the species in question.

22 All right, so, that's a quick look

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1 at protected species, and here, this is a  
2 Science Box slide here, and let me interpret  
3 what this information is, because I'm sure no  
4 one can read this. We developed an RFP within  
5 NOAA, for proposals to look at the effects of  
6 the spill, and this is within the Science Box.

7 We received -- they're still coming in,  
8 actually, but we've received, as of last week,  
9 66 proposals, in the eight themes that the  
10 Science Box is responsible for.

11 These are the ones -- there are 13  
12 listed here. These are the ones that came in,  
13 in the living marine resources theme and a  
14 couple of them on the ecosystem theme that are  
15 relevant, too. Ten of them were living marine  
16 resources, the last three are on ecosystem  
17 themes.

18 And we solicited these without  
19 really knowing that we were going to get any  
20 money to actually be able to support them.  
21 So, we're hoping to be able to support it. We  
22 did receive -- NOAA has received a \$7 million

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1 supplemental in FY10. That doesn't go real  
2 far, when it comes to 66 proposals.

3 So, we had kind of an initial --  
4 well, we sent these out, actually for external  
5 review, and then we did some ranking  
6 internally, and out of these, 13 proposals  
7 that are the most relevant to living marine  
8 resources, only two of them made that cut, the  
9 one here on sea turtles, Southeast Center  
10 Assessment, the impact of sea turtle growth  
11 rates and course and behavior.

12 This is a tagging study, and then  
13 this mussel watch, for the NOAA status and  
14 trends was approved for funding, but as of  
15 now, and I spoke to Steve Murawski about this  
16 last week, no decision has actually been made  
17 to -- on what's going to happen with the \$7  
18 million. So, we're hoping that at least some  
19 of these projects will be funded, and we're  
20 hoping that some of them may receive funding  
21 from other sources, like the NRDA process,  
22 which we'll be hearing about in a few minutes.

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1 But at the moment, we've got a lot of good  
2 ideas, but not a lot of resources to put  
3 towards them.

4 Another thing the Science Box has  
5 been taking on more recently is to develop  
6 what we're calling a holistic science plan,  
7 and this is very -- in a very preliminary  
8 stage. So, there really isn't anything to  
9 talk about here, or to show.

10 But we've been debating the scope  
11 of it. Steve Murawski let's us talk about  
12 NOAA plan with on-ramps, this is his term for  
13 other entities, other agencies, other parties  
14 who are active in the Gulf. The other  
15 approach would be a comprehensive plan, with  
16 NOAA leading the whole show. So, this is a  
17 debate that we've been having internally, on  
18 this. I think probably, this is going to win  
19 out, but it's still under discussion.

20 The idea is to consider the spill  
21 as a component of the overall impacts of the  
22 Gulf, because certainly, it was not pristine

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1 before the spill. So, a lot of things have  
2 been going on there for many years, the other  
3 effects of development, of agriculture, of  
4 land use, of oil drilling, et cetera.

5 So, it's not a pristine system, but  
6 obviously, this is an additional major  
7 perturbation.

8 We had talked in general about the  
9 components of a science plan. There was an  
10 observing system element, research on  
11 ecosystem processes, causes of ecological  
12 change, developing a modeling component, so  
13 that we can make predictions and do some  
14 hindcasting to make sure we have a good handle  
15 on understanding the system, as well as a  
16 communication component, which means providing  
17 products, as well as stewardship of the data  
18 that would come out of the plan. This is --  
19 as of last week, was a four-page document,  
20 with a lot of scribbling on it. So, we're  
21 still working on that.

22 This next document, is not of that

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1 same type plan. This has already been  
2 published, it late September. This is the so-  
3 called Mabus Plan, Secretary Mabus, Secretary  
4 Leahy. This, you can actually get at the  
5 restorethegulf.gov website. This is a long  
6 term recovery plan. It's not a detailed  
7 science document. It's more an overview and a  
8 planning document toward how do we go about  
9 planning the recovery in detail.

10 It talks about funding and the long  
11 term restoration, human -- health and human  
12 services and economic and non-profit sectors.

13 These are the main themes of it. It proposes  
14 a structure here. There would be two main  
15 entities, the Gulf Coast Recovery Council and  
16 the Gulf Coast Eco-System Restoration Task  
17 Force.

18 As many of you know, there is a lot  
19 of these sort of government entities down  
20 there already. So, there was a quite a bit of  
21 material in this document about how these  
22 entities would be related to the existing

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1 efforts going on, down there already.

2 In terms of the ecosystem  
3 restoration part of it, again, it's not a  
4 detailed plan. It's more of a plan for a  
5 plan, and how the plan would be developed.  
6 But here is some of the key considerations.  
7 It recognizes the pre-existing challenges,  
8 such as the dead zone and the land subsidence  
9 and things like that, and it addresses the  
10 Deepwater Horizon impacts and these major  
11 components, habitat, water column, fisheries  
12 and sensitive species. As I mentioned, it  
13 already would coordinate with existing  
14 restoration efforts and it follows these basic  
15 principles. So, these are the things that the  
16 Mabus Plan is oriented toward sustaining:  
17 healthy wetlands, healthy fisheries, resilient  
18 coastal communities, sustainable storm buffers  
19 and healthy inland habitats, water sheds and  
20 off-shore waters.

21 So, this isn't the science plan,  
22 specifically. It's more of how we're going to

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1 implement the restoration, and I think I  
2 probably used up my time here, and so, I'd be  
3 happy to answer any questions that anybody  
4 might have.

5 CHAIR BILLY: Okay, the floor is  
6 open for questions. I have one.

7 MR. BROWN: Yes.

8 CHAIR BILLY: Is there any  
9 assessment available at this stage, on the  
10 effectiveness of the dispersants? I mean, if  
11 they --

12 MR. BROWN: Effectiveness?

13 CHAIR BILLY: I mean, did they  
14 help, were they --

15 MR. BROWN: There is a lot of  
16 discussion. I would say that -- I can't point  
17 you -- I don't know if my -- personally, I  
18 don't know. There may well be, at  
19 restorethegulf.gov, some more specific  
20 information on that.

21 But certainly, they were effective  
22 in that, they worked, in the physical sense,

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1 and the -- basically, the idea here, and it's  
2 -- when people had to decide what they were  
3 going to do, you know, they were sitting  
4 there, the oil is gushing out. They had an  
5 option, basically, of putting dispersant out  
6 there, and it was sort of uncharted territory,  
7 frankly. They didn't really know what the  
8 effects would be, but the idea was, by putting  
9 the dispersant -- a lot of it was put down  
10 right at the site of release, down in -- you  
11 know, down near the sea floor.

12 The idea being that if you break up  
13 the oil into smaller droplets, it won't come  
14 up to the surface so quickly, so, you  
15 therefore, reduce the impacts that are on the  
16 surface, reduce the ability of the oil to wash  
17 up on the shore, prevent species that, you  
18 know, are at the surface, birds and so on,  
19 marine mammals that come up to the surface,  
20 reduce their vulnerability.

21 So, that was the idea behind it.  
22 The downside, of course, is that now that

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1 there is still quite a bit of oil down there,  
2 because it's not as buoyant, some of it is  
3 settling down in the sediments. So, this is  
4 an ongoing area. They have a lot of work to  
5 do, to truly understand what the significance,  
6 what the impacts are. So, this is still an  
7 open question, really, in terms of whether or  
8 not it was worth it, I guess, basically.

9 One of the other concerns, of  
10 course, from the seafood standpoint is, what's  
11 the effect on harvest and species, so, and we  
12 are looking at that. That's something NMFS is  
13 directly working on.

14 CHAIR BILLY: But there will  
15 ultimately be one or more scientific reports  
16 that --

17 MR. BROWN: I would --

18 CHAIR BILLY: -- that assess --

19 MR. BROWN: I would have to say, I'm  
20 sure there are. I'm not deeply familiar with  
21 that, but I could -- I'll tell you what, I'll  
22 try and find out, and I can send something,

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1 maybe to Mark, see if I can get you something  
2 more specific on that.

3 But this is an area that's been a  
4 hot topic, certainly.

5 CHAIR BILLY: Yes, I mean, you know,  
6 God forbid, there is another spill down the  
7 road, do you, based on what we know, use  
8 dispersants or not?

9 MR. BROWN: Yes, I think that's an  
10 open question.

11 CHAIR BILLY: What's the assessment?  
12 You know, what --

13 MR. BROWN: That's a good point. I  
14 think that there's going to be a lot of debate  
15 about that. Certainly, there are trade-offs.

16 The dispersant itself, it's fairly  
17 toxic, but it's not extremely toxic, and you  
18 know, it's basically detergent.

19 CHAIR BILLY: Right.

20 MR. BROWN: So, obviously, you don't  
21 want to be eating it, but you know, I won't  
22 say it's benign, it's not benign, but it's not

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1       terribly -- you know, it's not like putting  
2       out, you know, really super toxic material,  
3       either.

4                       So, there are -- there is an  
5       assessment to be done, certainly.

6                       CHAIR BILLY: Tony?

7                       DR. CHATWIN: Thank you, and thank  
8       you, Steve, for your presentation.

9                       One of the lessons learned from the  
10       Exxon Valdez spill was the level of toxicity  
11       that actually had an impact on larvae, and I -  
12       - that was of the oil itself.               But you  
13       showed a few slides about larvae distributions  
14       and abundance.

15                      MR. BROWN: Yes.

16                      DR. CHATWIN: But if you do start to  
17       see a declining trend in those abundance, you  
18       would want to know what's causing that.

19                      So, are there toxicity tests being  
20       done, with those larvae for those fish?

21                      MR. BROWN: Well, certainly, we're  
22       proposing to do it.       It's a question of

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1 resources. But certainly, this is an  
2 important issue.

3 NMFS is really trying to get  
4 support through the NRDA process, through our  
5 own resources, to evaluate that question.  
6 That's an important question, you know,  
7 especially the vulnerable species that are out  
8 there, like bluefin tuna, for example. This  
9 is an important concern.

10 So, we are working to do that. So,  
11 I'd say that's basically where we are, right  
12 now.

13 DR. CHATWIN: I just have a follow  
14 up on that.

15 MR. BROWN: Yes.

16 DR. CHATWIN: I would imagine the  
17 EAP would be involved in that sort of  
18 assessment, as well. Are you guys working  
19 with them on this issue?

20 MR. BROWN: Certainly, there is some  
21 involvement with them. I have to say, I'm not  
22 that familiar with what EPA is doing.

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1           The big players have been the NOAA and  
2 Coast Guard and so, it's probably -- those  
3 sorts of things, well, you know, there may  
4 well -- in fact, I'm sure there are some  
5 toxicity tests, involving some larvae, or  
6 maybe I should say plankton, not necessarily  
7 fish larvae.

8           But this is something that  
9 certainly is a big issue for NMFS, and we are  
10 trying to find the resources to do as much of  
11 that as we can.

12           DR. CHATWIN: Okay, thank you.

13           CHAIR BILLY: Tom?

14           MR. RAFTICAN: Yes, again, thank you  
15 for a great presentation. I notice when you  
16 covered economic sampling, it seemed like -- I  
17 didn't see recreational fishing. I  
18 understand, fishing encompasses both, but I  
19 think it's probably a pretty different model  
20 with economic -- economically, for  
21 recreational fishing.

22           And I also wonder about, you had

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1 another ancillary businesses there, but  
2 though, it didn't appear to be any ancillary  
3 recreational fishing businesses, whether it's  
4 local tackle suppliers, whether it's  
5 publications that exist in the area. They're  
6 going to have -- may have deep economic  
7 impacts, but will they show up in your  
8 modeling?

9 MR. BROWN: Well, I'm going to punt  
10 on that one. I'm not an economist.

11 I know that we have, you know,  
12 economists working on this, the MRIP program  
13 has been down there. So, I can -- again, I'll  
14 tell you -- I can certainly make some  
15 inquiries about that. I'm not an expert in  
16 that, so, I don't want to tell you something  
17 and not know what I'm talking about.

18 But I would have to think that  
19 would be part of it, certainly, understanding  
20 economic impacts means you need to look at all  
21 the components. So, I would think there would  
22 be. But I can -- I'll look into that.

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1 MR. RAFTICAN: Thank you.

2 MR. BROWN: Yes?

3 MR. O'SHEA: Thanks, Steve. I'm  
4 Vince O'Shea, for -- and Tom is on the call  
5 and I'm glad that he is listening.

6 You know, the Administration and at  
7 times, NOAA was under a lot of -- it's been  
8 under criticism for, how can all of this oil  
9 have just disappeared, and one number that I  
10 haven't heard, I think I've heard how many  
11 times how much oil went in the water, and I  
12 think it's 11 million barrels.

13 MR. BROWN: Four-point-nine.

14 MR. O'SHEA: Four-point-nine million  
15 barrels of oil. What I've never heard is how  
16 many barrels of water there are in the Gulf of  
17 Mexico, and if I looked at the little map that  
18 you showed us, in about your third slide, it  
19 looked to me like maybe, 15 or 20 percent of  
20 the gulf was, at least moderately impacted.

21 So, I wonder if anybody at NOAA has  
22 kind of looked at that, as a -- it's certainly

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1 not scientific, but the comments about saying,  
2 the oil had to go somewhere, it might help put  
3 this problem of where the oil went, into some  
4 kind of perspective. Has anybody looked at  
5 that?

6 MR. BROWN: I'm sure they have.  
7 There is a whole ocean-graphic component that  
8 has been working on this.

9 I don't know how many barrels of  
10 water are in the Gulf, but it's a lot.

11 MR. O'SHEA: I bet you it's a lot.

12 MR. BROWN: Oh, yes, it is, it is,  
13 and in fact --

14 MR. O'SHEA: I mean, compared to 4.5  
15 million.

16 MR. BROWN: You know, and I heard  
17 Steve Murawski give a talk a couple of weeks  
18 ago on this.

19 You know, and the deep water plume  
20 that has received a lot of attention, that's a  
21 big concern. Nobody is going to say it isn't.

22 But when you pull up those samples

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1 and you look at it, you know, in a glass, you  
2 can't see anything. It just looks like water.

3 MR. O'SHEA: Right.

4 MR. BROWN: So, we're talking parts  
5 per billion, parts per trillion, at that  
6 level. Obviously, you don't want to have that  
7 there, but still, the Gulf is a big place.

8 MR. O'SHEA: Right, thank you.

9 CHAIR BILLY: Heidi?

10 MR. BROWN: Yes?

11 CHAIR BILLY: Heidi?

12 VICE CHAIR McCARTY: You mean,  
13 Heather?

14 CHAIR BILLY: I mean Heather, sorry.

15 VICE CHAIR McCARTY: Okay.

16 CHAIR BILLY: Sorry, sorry.

17 VICE CHAIR McCARTY: Steve, thank  
18 you. Is there a body in the Gulf that's  
19 similar to the Exxon Valdez oil spill Trustee  
20 Council, which responded after the Exxon  
21 spill, that determines how money is spent and  
22 where on research? Is there something

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1 similar?

2 MR. BROWN: That, I think that is a  
3 work in progress, at this point. So, there  
4 would be. The Mabus Plan has some discussion  
5 about the -- how they propose things to be  
6 developed.

7 NRDA has a Trustee Council, of  
8 course, themselves. So, that's more not on  
9 the science so much, as on the recovery,  
10 specifically.

11 But this is something that is  
12 really being thought about, as we speak, you  
13 know. That plan that I mentioned toward the  
14 end there is NOAA's -- we're starting to work  
15 into the process of figuring out what we would  
16 want to see in a plan. That's not so much on  
17 how it would be formed, but what are the  
18 issues.

19 But that is something that is under  
20 development, I guess, at this point, I'd say.

21 VICE CHAIR McCARTY: Does that  
22 include --

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1 MR. BROWN: Well, there are parts of  
2 it. I mean, the response component of it had  
3 a science component to it, that is, you know,  
4 kind of winding down, as these responses are  
5 winding down.

6 So, in terms of the long term  
7 science coordinating body, I don't think there  
8 actually is one yet, but there certainly would  
9 be, I would expect.

10 CHAIR BILLY: Keith?

11 MR. BROWN: More questions?

12 MR. RIZZARDI: Yes, sir.

13 MR. BROWN: Yes, sorry.

14 MR. RIZZARDI: During your  
15 presentation, you pointed out a number of  
16 impacts to the protected resources. How is  
17 that data being exchanged with the protected  
18 resources folks? Are we re-initiating  
19 consultation on any of the species? Is there  
20 additional research being done, to understand  
21 the effects on the protected resources?

22 MR. BROWN: Well, as I showed, we

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1 have a bunch of proposals. We don't really  
2 have a lot of money to put at that problem,  
3 right now.

4 So, the main thing that has been  
5 done, of course, is these surveys that I  
6 showed you, those aerial surveys, for example.

7 So, we're trying to get a handle on  
8 what's out there, but at the moment, that's  
9 the scale of it, from the NOAA perspective.  
10 We're working on it, to the extent that we  
11 can, and we're trying to find the resources to  
12 do more.

13 CHAIR BILLY: We can probably learn  
14 more tomorrow, when we talk about it.

15 MR. HOLLIDAY: But Jim Lecky will be  
16 here, form the Office of Protective Resources,  
17 regarding the consultation plan.

18 MR. BROWN: Yes, yes, that -- I'm  
19 personally not involved in the sort of  
20 regulatory side of that.

21 MR. RIZZARDI: I realize, Jim can --  
22 on the data collection side and on the -- the

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1 understanding of the scope of the impacts, is  
2 there, you know, sort of back and forth going  
3 on, because in order to do good consultation,  
4 they need good information.

5 MR. BROWN: Right.

6 MR. RIZZARDI: And you guys are  
7 assessing the information and developing the  
8 data.

9 So, in fact, is that kind of  
10 communication taking place, and I guess,  
11 Heidi, you had an answer on that.

12 MS. LOVETT: Well, I was going to  
13 say that the consultation has been arranged, I  
14 think, for the large, broad overall recent  
15 program, and Jim will be talking about that,  
16 and he knows -- he is very familiar with what  
17 Mark said, he is very familiar and can answer  
18 those questions better.

19 MR. RIZZARDI: Okay.

20 CHAIR BILLY: One more, Martin.

21 MR. MARTIN FISHER: Thank you, Mr.  
22 Chairman. This addresses Vince's question.

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1                   Vince, there are 667,000 gallons of  
2 water in an Olympic size swimming pool, which  
3 is a roughly 15,000 barrels, 42 gallons in the  
4 barrel.

5                   So, that gives you a little bit of  
6 perspective. I haven't done the math, to get  
7 to the 4.9 million barrels, but I don't think  
8 we should make light of the fact that 75 or 80  
9 percent of that oil is sub-surface, and by all  
10 estimations, that is what has occurred.

11                   The dispersant worked, sure. It  
12 worked at the 5,000 foot level, it worked at  
13 the surface. The 5,000 foot level, a  
14 dispersant went into little droplets. At the  
15 top, it sank.

16                   But where -- you know, where and  
17 what is happening with that oil, and what I'm  
18 really concerned about is that there are  
19 scientists poised all around the Gulf region,  
20 that need funds to conduct their research and  
21 they're not getting the money that they need,  
22 and that's a big concern to me, because there

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1 is plenty of money in the NOAA budget for  
2 other things right now, and I'm concerned  
3 about that.

4 CHAIR BILLY: I think I'm going to  
5 move us on. Are you going to stick around?

6 MR. BROWN: Yes, I'll be here,  
7 probably until the break.

8 CHAIR BILLY: Okay.

9 MR. BROWN: And let's see, my action  
10 item is to look on the marine economics, the  
11 recreational fisheries, specifically, and the  
12 other question I was going to look at was --  
13 because I promised somebody something else.

14 CHAIR BILLY: The economics of --

15 MR. BROWN: Sorry?

16 CHAIR BILLY: Just check on the  
17 economics twice.

18 MR. BROWN: All right, all right.

19 CHAIR BILLY: Let's move on, and  
20 then we can come, circle back.

21 The next presentation is Tom  
22 Brosnan, Natural Resources, what is it,

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1 Natural Resources Damage Assessment. He is  
2 going to give us an update on where things  
3 stand, in terms of moving that process along.

4 Tom?

5 MR. BROSANAN: Yes, good morning.  
6 Can everybody hear me okay?

7 CHAIR BILLY: Yes.

8 MR. BROSANAN: Yes, okay. Well,  
9 first of all, thanks for approaching me, and I  
10 apologize, I'm not there in person. I'm  
11 actually down at -- in Florida, between Gulf  
12 conferences, and I'm giving a talk, similar to  
13 this, this afternoon. So, I apologize for not  
14 being there in person.

15 In any case, I think you've  
16 received the presentation that I am going to  
17 go through.

18 On the second slide, what we'll  
19 discuss today is -- I understand, you've had a  
20 presentation, on that basics of what a natural  
21 resource damage assessment is, and I'm just  
22 going to quickly refresh your memory about

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1 that, and then I'd like to get into a status  
2 update of where we are, with the damage  
3 assessment.

4 The third slide, overall, as you  
5 may know, the goal of the damage assessment is  
6 compensation of the public for injuries to  
7 their resources. Under the Oil Pollution Act,  
8 when a spill like this happens, there is two  
9 types of liability incurred by those  
10 responsible for the spill.

11 One is the responsibility to clean  
12 up what was spilled, and that's being led by  
13 the Coast Guard, and the other responsibility  
14 is to restore the public natural resources  
15 that have been injured or for the lost use of  
16 them, and that's led by trustee agencies,  
17 including NOAA.

18 The next slide summarizes, a damage  
19 assessment is restoration focused from the  
20 beginning until the end. It's a cooperative  
21 process, as was mentioned by Steve earlier.  
22 There is a Trustee Council, I'll show you the

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1 membership of that in a moment.

2 But there is multiple agencies that  
3 have to cooperate on this. We also are  
4 cooperating with the responsible party. Under  
5 the Oil Pollution Act, we are required to  
6 offer the responsible party an opportunity to  
7 cooperate in the damage assessments, and we  
8 have done so, and we also have a public  
9 process. So, there's a lot cooperation that  
10 is needed all along the way, in collaboration  
11 to get to the end gate.

12 Finally, it's a legal process. At  
13 the end of the day, we are resolving the  
14 liability of this responsible party for their  
15 liability to restore what was lost, and to do  
16 that, we have to demonstrate causality  
17 between the release and actually, what was  
18 injured and lost, and at the end of the day,  
19 the scenario, the responsible parties will pay  
20 for both the assessments to get to the  
21 restoration, as well as the restoration  
22 itself.

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1           The next, the Trustee Council  
2 membership includes several Federal Trustees,  
3 including NOAA, Fishing Wildlife, Park  
4 Service, Bureau of Land Management, Bureau of  
5 Affairs and the Department of Defense. There  
6 is five state trustees, within each of those  
7 states. There may be one or more agencies  
8 participating, and we all work together in the  
9 Trustee Council to cooperatively understand  
10 the magnitude and the extent of the injury and  
11 what's needed to restore those resources.

12           A little bit about the framework.  
13 As I said before, causality is important in  
14 damage assessment, on the left-hand side  
15 there. We have to document and prove that a  
16 release has occurred, that there is a pathway  
17 to resources over which we have trusteeship,  
18 things like coastal and marine resources for  
19 NOAA, and the habitats that are important to  
20 them.

21           We have to show that they're  
22 exposed and we also have to show that there is

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1 an adverse effect on those resources, or there  
2 is a lost use of those resources.

3 Just exposure alone does not  
4 signify, necessarily, that they are injured.  
5 We have to actually prove an adverse effect,  
6 and so, we go about that in a three-step  
7 process, the pre-assessment screen, where we  
8 actually go out, and we've been out there for  
9 months with multiple teams of trustees, trying  
10 to understand the exposure pattern and the  
11 overlay of that exposure with our resources,  
12 in terms of spatial and temporal extent and  
13 severity of exposure to a wide variety of  
14 resources.

15 We then move into the restoration  
16 planning phase, which is what we're currently  
17 in now. We issued a Notice of Intent to  
18 conduct restoration planning, I think it was  
19 October 1<sup>st</sup>, in the Federal Register, and if  
20 you think of a damage assessment, think of it  
21 as a ledger.

22 On the left-hand side, we are

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1     quantifying resources and habitats that may  
2     have been injured and lost uses of them, and  
3     on the right-hand side, we are quantifying the  
4     type and amount of restoration that's needed  
5     to off-set that loss.

6             So, this is not punitive. This is  
7     all about creating a balance of losses versus  
8     gains with restoration.

9             We'll be going out with a draft  
10    restoration plan, sometime in the future that  
11    describes the trustees recommendations for  
12    what restoration we believe is required to  
13    off-set those losses, with a public comment,  
14    and then we'll go to a final restoration plan.

15    We will then implement the restoration.

16             So, upcoming and ongoing activities  
17    include, as I mentioned, the Notice of Intent  
18    that just went out.

19             Public meetings are currently in  
20    process. There was one in Galveston, Texas on  
21    October 12<sup>th</sup>. There are four coming up in  
22    Louisiana, on October 25<sup>th</sup> through the 28<sup>th</sup>, in

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1 four coastal areas of Louisiana. That  
2 information is posted our website.

3 The scope of those meetings is  
4 essentially to provide a basic overview of  
5 what the damage assessment is about. This is  
6 first broad public such for the damage  
7 assessment. There will be multiple follow up  
8 public meetings.

9 But anyway, those four in  
10 Louisiana. There will be additional ones  
11 coming up in Alabama, Mississippi and Florida,  
12 remaining in October and November.

13 We will also be launching a  
14 programmatic environmental impact statement,  
15 given the scope and complexity of this, we've  
16 decided, and NOAA is going to be the lead for  
17 this, but there will be a programmatic EIS  
18 needed for this, and this will be launched,  
19 it's either later this year or early next  
20 year. We're still determining what the  
21 appropriate timing to launch that. But we're  
22 working on it currently.

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1                   In the meantime, we're conducting a  
2                   variety of assessment activities.

3                   On the eighth slide, current  
4                   assessment activities, you may have heard  
5                   before, we are organized into a variety of  
6                   technical working groups, probably a dozen or  
7                   more, that are working on a variety of  
8                   categories, including what you see here, water  
9                   column and fisheries and habitats, like SAV  
10                  and coral, shoreline habitats, and a variety  
11                  of resources like birds, marine mammals and  
12                  turtles.

13                  We're also looking at human uses of  
14                  the public resources, including fishing and  
15                  hunting and beach closures, and data  
16                  collections and observations have included  
17                  water, sediment and tissue sampling, as well  
18                  observations from planes and ships and from  
19                  the shoreline itself.

20                  The damage assessment will also  
21                  take into account potential impacts from the  
22                  response itself. Sometimes, there can be

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1       inadvertent impacts.       Sometimes, there is  
2       trails that can be made, or that need to be  
3       made, and so, we will be looking at potential  
4       impacts from the use of dispersants, as well  
5       as birding, booming and other resource --  
6       sorry, other response activities.

7                   If there has been a negative  
8       impact, we will quantify those and include  
9       additional restorations to off-set those, as  
10      well.

11                   That is not unusual.       That is in  
12      the Oil Pollution Act, and -- as a requirement  
13      for us to do, and it is common for us to do in  
14      other oil spills.

15                   NOAA responds to about 150 oil  
16      spills a year.       We do damage assessments on  
17      only a fraction of those, but we have a long  
18      history of doing damage assessments, and I  
19      think out of everything I've describe to you  
20      so far, is the process we've used on all of  
21      our -- the vast majority of the oil spills  
22      we've done around the country, including in

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1 the Gulf.

2 The next slide is -- just try to  
3 provide kind of conceptual 3-D overview of the  
4 complexity of the assessment. There is kind  
5 of an open water assessment that's needed.  
6 So, I think Steve went through it, the  
7 description of some of the complexity of  
8 trying to understand where the oil is going  
9 and what it's impacting.

10 We have oil we're trying to assess  
11 out in the open water. So, we're looking at  
12 water column and sediments through a variety  
13 of ship-based surveys, all of these AUV's,  
14 etcetera, including water quality surveys,  
15 transect surveys, sediment sampling, feeding a  
16 lot of that information into oil spill models  
17 that we have, so we understand better, what  
18 the fate and transport of the oil is, and its  
19 likely impacts to life in the water.

20 We're looking at also, a variety of  
21 turtle and marine mammal resources, through  
22 aerial surveys, as Steve showed earlier.

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1 There is tissue sampling being done, to  
2 understand the exposure, and also, acoustic  
3 monitoring and satellite tagging of resources.

4 There is a variety of shoreline  
5 habitats that are being evaluated through  
6 aerial surveys, more detailed ground surveys,  
7 documentation of the quality of the habitats  
8 and also, measuring sub-surface oil near the  
9 shore, that is oil that may have come up,  
10 washed onto the shore, collected sediment,  
11 come back down and settled off the shore. We  
12 are also monitoring that, as well, as well as  
13 oil in the submerged aquatic vegetation beds.

14 We're also looking at a variety of  
15 bird resources in a variety of ways, pelagic,  
16 shore-line, colonial birds, marsh birds,  
17 etcetera. That's being led by the Fish and  
18 Wildlife Services, as well as terrestrial  
19 species.

20 We're doing a fair bit of work  
21 also, looking at shellfish, including oysters,  
22 mussels and shrimp, including sediment

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1 samples, tissue samples, stock assessment,  
2 things like that.

3 Both deep and shallow water corals  
4 are being evaluated, through a variety of  
5 methods, including photographic methods, just  
6 trying to look at -- visually understand the  
7 resources, comparing it to baseline, as well  
8 as taking contaminant samples and deploying  
9 semi-permeable membrane devices that integrate  
10 samples -- that integrate exposure of the oil  
11 over time, and finally, human uses, as well.

12 We're doing a variety of methods to  
13 try to understand the human uses of the  
14 resources and what -- and how those human uses  
15 of resources have been impacted.

16 Quick sampling snapshot at slide  
17 10, there's been over 70 off-shore research  
18 cruises, and you heard that there's more in  
19 the process right now, looking at sub-surface  
20 oil. For the damage assessment alone, there's  
21 been over 23,000 environmental samples  
22 collected. Most of those have been in the

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1 water, but also, a fair number of sediment and  
2 tissue samples.

3 By the way of comparison, in a  
4 normal, if you will, normal, much smaller oil  
5 spill, the number of samples that are  
6 collected are in the tens to hundreds.

7 So, this is, by far, the greatest  
8 amount of sampling that's been done for a  
9 damage assessment that certainly I'm aware of,  
10 including the Exxon Valdez.

11 There has been over 2,000 linear  
12 models of shoreline surveys with documents and  
13 been done on over 950 miles of that, and we've  
14 categorized that into heavy oiling versus  
15 medium, light, very light, etcetera, as Steve  
16 showed earlier.

17 There have obviously been obvious  
18 wildlife impacts, including oil wildlife  
19 captured and the dead visibly oil wildlife  
20 collected. The live ones are being  
21 rehabilitated and released, if possible, and  
22 the dead ones are being archived and

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1 necropsied, to understand, is it actually the  
2 oil that killed them or you know, sometimes  
3 they might have died from different causes and  
4 become oiled. So, there's a whole process to  
5 try to understand what -- for each of those,  
6 the impact of the oil, actually has been.

7           So, there is a few websites that  
8 I've shown here, our DARRP website, actually  
9 includes the work plans for a lot of the work  
10 that I mentioned above. The Geoplatform  
11 website and -- actually, I'm sorry, the third  
12 website there, that should be the noaa.gov  
13 website, which has the Science Missions and  
14 Data.

15           So, for the last two slides that I  
16 have here, I presume you may be aware of the  
17 geoplatform.gov website. If you're not, I  
18 highly recommend that you go check it out. It  
19 is a web-based mapping program.

20           You don't need any real experience  
21 with it. It has several hundred layers of  
22 information, both from the response and the

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1 damage assessment overlaying with basic  
2 environmental information, including  
3 historical information, and things like wind  
4 and weather and tides and dosimetry and things  
5 like that.

6 What you see there right now, is  
7 just the -- the picture in the blue, of oiling  
8 on that day and the red line is the location  
9 of the fishery closure at that point. But  
10 there are many, many layers you can turn on  
11 for that.

12 And then finally, we've made a  
13 significant effort to post the data that we  
14 are collecting, as part of the response to the  
15 damage assessment. You can find that both on  
16 geoplatform.gov and also, on noaa.gov.

17 If you look there on the right-hand  
18 side, if you go to science missions and data,  
19 and click on that, you will find information  
20 about not only the damage assessment, but also  
21 the seafood monitoring that's been done at  
22 sub-sea surface that's been done, monitoring

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1 that's been done, and many other things that -  
2 - any other data that's been collected.

3 With that, I will stop and take  
4 questions, if there are any.

5 CHAIR BILLY: Any questions? Yes,  
6 Randy?

7 MR. RANDY FISHER: Yes, this is  
8 Randy Fisher of the Pacific States Marine  
9 Fisheries Commission.

10 I'm curious about how long this  
11 process is going to take. If you're going to  
12 write an environmental impact statement, that  
13 usually takes a while, and that's one  
14 question.

15 The second question is, what has  
16 the history been in actually getting money  
17 back from an industry?

18 If you look what happened to  
19 Valdez, I think there was a lot of unhappy  
20 people at the end of the day, and I'm curious,  
21 what you think about this process.

22 MR. BROSNAN: Right, so, two things,

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1 to the timing and then the process.

2           Timing, everybody wants to know  
3 timing, and timing is tricky, because there is  
4 a lot of factors that go into actually  
5 resolving the liability of a responsible  
6 party. Again, this is a legal process, with  
7 scientific and economic under-pinning's.

8           But I can say, you know, a couple  
9 of things. Obviously, this is the -- this is  
10 a very large spill, a very large scope,  
11 spatial and temporal expense, and lots of very  
12 valuable resources potentially affected.

13           So, there is a lot of assessment  
14 that needs to be done, to really understand  
15 what has been impacted, or what may have been  
16 impacted.

17           NOAA has settled over 40 oil  
18 spills, since the Exxon Valdez. The average  
19 amount of time that it has taken to settle  
20 those cases, that is, to come to agreement on  
21 what the damage is and what the restoration  
22 needs to be, has been on the order of three

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1 and a half to four years, and you know, some  
2 are much shorter and some are much longer, and  
3 as I said, there is a wide variety of factors  
4 that go into that, including, as I mentioned  
5 earlier, the cooperation that's required  
6 between all the parties, including the  
7 responsible party, to get there.

8 So, it's tough to predict what will  
9 happen in this case, but to get to the second  
10 question on prospects, we -- I think the  
11 prospects are very good.

12 I think the oil -- the Oil  
13 Pollution Act is a very strong law, and  
14 responsibility does reside clearly, on those  
15 responsible for spilling the oil, and it's  
16 pretty clearly laid out with a process to  
17 determine what their liability actually is, in  
18 terms of what's been injured, and then the  
19 amount of restoration that is needed to off-  
20 set that.

21 So, you know, we work on lots of  
22 these nationwide. The Damage Assessment

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1 Program is dedicated to doing just this, for  
2 oil spills at waste sites. So, I'm confident  
3 we'll certainly reach a resolution to this. I  
4 can't think of any cases where we haven't, and  
5 I'm confident that we will.

6 CHAIR BILLY: Okay, anyone else have  
7 a question? Okay, Heather?

8 VICE CHAIR McCARTY: Thank you.  
9 Tom, can you hear me? This is Heather  
10 McCarty.

11 MR. BROSNAN: I'm sorry, could you  
12 say that, please?

13 VICE CHAIR McCARTY: Yes, I think  
14 I'm a long way from where you're hearing.  
15 Heather McCarty, can you hear me?

16 MR. BROSNAN: Just barely.

17 VICE CHAIR McCARTY: Where is the  
18 microphone? Tom, can you hear me better now?

19 MR. BROSNAN: Try that again,  
20 please.

21 MR. RAFTICAN: One more time.

22 VICE CHAIR McCARTY: Tom, can you

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1 hear me now?

2 MR. BROSNAN: Now, I can hear you.

3 VICE CHAIR McCARTY: This is Heather  
4 McCarty. I'm from Alaska, and actually, an  
5 Exxon Plaintiff, a disappointed Plaintiff,  
6 needless to say.

7 But can you describe the funding  
8 mechanism currently, for all of this? I'm not  
9 familiar with how it's working.

10 Who is paying for what's being done  
11 now, and how will that be different, once the  
12 responsible party, or parties, have been  
13 identified? I don't quite understand the  
14 funding mechanism for any of this.

15 MR. BROSNAN: Right, so, I can  
16 address the funding mechanism for the damage  
17 assessment, specifically.

18 Currently, the assessment -- each  
19 of the trustees is documenting their costs for  
20 the assessment, and we are submitting our  
21 bills to the responsible party, for  
22 reimbursement, and this is typical for how the

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1 damage assessment goes.

2 We track our costs, both for labor  
3 and contract costs for assessing the impacts,  
4 and we then, you know, hand those bills over  
5 to the responsible party, to be compensated  
6 for it.

7 So, again, this is a political-pay  
8 scenario. They're supposed to be paying for  
9 both the assessment and the restoration.

10 They did provide some money up  
11 front. I believe they provided \$45 million  
12 collectively, to the trustees, very early in  
13 the spill, so that we would have seed money to  
14 initiate the damage assessment, and I believe  
15 that is the large part of what the trustees  
16 have been using to fund their initial  
17 activities on this. Does that answer your  
18 question?

19 VICE CHAIR McCARTY: Yes, pretty  
20 much, about what's currently happening, but as  
21 you go to --

22 MR. BROSNAN: I'm sorry?

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1 VICE CHAIR McCARTY: As you go --

2 MR. RAFTICAN: She said yes.

3 VICE CHAIR McCARTY: Yes, as you go

4 --

5 MR. RAFTICAN: But as you go --

6 VICE CHAIR McCARTY: As you go, you  
7 have to continue to prove fault, to get  
8 continued funding, is that how it works?

9 MR. RAFTICAN: Do you have to  
10 continue to prove fault, to get continued  
11 funding?

12 MR. BROSANAN: Well, you know, they  
13 could -- I don't think it's an idea of  
14 continuing to prove fault. I mean, I think  
15 it's pretty obvious where the fault lies and  
16 that's, in some ways, that's, you know,  
17 fortunate, about a damage assessment for an  
18 oil spill. It's very obvious, where the oil  
19 came from and who is responsible for it. So,  
20 there is no hiding from that.

21 As I mentioned earlier, we are  
22 required to offer the responsible party to

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1       conduct a cooperative damage assessment with  
2       us, and so far, they have been cooperative and  
3       so, they have been paying for the assessment  
4       as they go.

5                 But if they refused to, we would  
6       simply, you know, we would simply add up our  
7       bills at the end of the day and submit the  
8       claim to them, at the end, all at once. I  
9       mean, that happens also.

10                Not every responsible party wants  
11       to pay as they go. Some just want to pay at  
12       the end, and so, we would just continue to  
13       collect our costs, as we go, and submit the  
14       cost at the end of the day.

15                There is, also, something called  
16       the Oil Spill Liability Trust Fund, which is a  
17       fund that is managed by the Coast Guard. It's  
18       set up -- I believe it's eight cents per  
19       gallon -- eight cents per barrel tax on oil  
20       produced or imported in this country, and it's  
21       set aside in a fund for among other things, to  
22       pay out for damage assessments, if a

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1 responsible party either refuses to, or if  
2 they're unable to, you know, if they're  
3 bankrupt, or if they've exceeded their limit  
4 of liability.

5 So, we do have the ability to go to  
6 the Trust Fund, with that claim, and have that  
7 claim paid out of that source, as well,  
8 including assessment costs, if needed.

9 Actually, there's a very recent  
10 case where we actually just did that. It's  
11 the Athos case, up in the Delaware River.  
12 There's a case where the responsible party  
13 exceeded their limit of liability and the  
14 trustees made a claim to the Trust Fund, and  
15 we were just awarded a claim of, I believe  
16 over \$26 million to do restoration in the  
17 Delaware, for injuries due to that spill.

18 So, there are mechanisms, if the  
19 responsible party doesn't want to cooperate.

20 VICE CHAIR McCARTY: Thank you.

21 CHAIR BILLY: Dave?

22 MR. WALLACE: Yes, this is Dave

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1 Wallace, and I had read in the Press that I  
2 think that the President was the one that  
3 extracted the commitment out of BP, to pay  
4 \$500 million, or a half-billion-dollars, for  
5 research over the next 10 years or something,  
6 and is that -- does that still go or -- and is  
7 what you're talking about separate from what I  
8 thought was a commitment?

9 MR. BROSNAN: It is separate from  
10 that. That's a -- that \$500 million, and  
11 Steve, you may know more information about  
12 that, but that \$500 million, I understand is  
13 being managed now by the Gulf of Mexico  
14 Alliance, and there is going to be a peer  
15 review process for providing those funds, but  
16 I'm not on top of that. So, if somebody else  
17 knows more about that, please chime in.

18 But that is a separate process.  
19 That is to conduct specific research, provide  
20 research funds for the academic community and  
21 others, to study a variety of things relating  
22 to the spill.

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1 MR. BROWN: Yes, that's correct.  
2 That's my understanding, as well.

3 MS. LOVETT: Steve Brown said that's  
4 correct.

5 MR. BROSANAN: Okay.

6 MR. WALLACE: All right, thanks.

7 CHAIR BILLY: Tom?

8 MR. RAFTICAN: Yes, Tom, with this -  
9 - I'm not sure if this is a question for you,  
10 but with the scope of the spill, what about  
11 international consequences?

12 Has anybody done anything,  
13 regarding international cooperation? Have we  
14 got together with Cuba or Mexico on this?

15 MR. BROSANAN: Yes, I believe there  
16 have been -- certainly, we've been well aware  
17 that the oil could have had impacts to  
18 Caribbean nations, as well as Mexico, and I  
19 believe there has been some efforts to  
20 coordinate with them and understand and trade  
21 information about where the oil might be  
22 going.

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1 Under the Oil Pollution Act, they  
2 can actually participate as a trustee, but  
3 they are not currently participating, because  
4 I'm not aware of any impact to their  
5 resources.

6 Steve or anybody else, do you have  
7 anything further on the international side of  
8 this?

9 MR. BROWN: No, I can't say that I  
10 do.

11 MS. MacLAUCHLIN: He said no.

12 MR. BROSNAN: No. I know they're  
13 not claiming in the damage assessment, but I  
14 know it has been considered, and we're  
15 certainly aware of the potential impacts  
16 there, but I'm not sure that it's panned out.

17 CHAIR BILLY: Thank you.

18 MR. BROSNAN: Sure.

19 CHAIR BILLY: Bill?

20 MR. DEWEY: Yes, Tom, this is Bill  
21 Dewey, with Taylor Shellfish Company in  
22 Washington State.

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1 I'm curious, I know, at least some  
2 of the effects on the oyster industry here in  
3 the Gulf were created by an aversion of  
4 freshwater from the Mississippi River, to try  
5 to push the oil out of the near-shore area,  
6 and I'm wondering if those effects, since they  
7 weren't actually from the oil itself, are they  
8 eligible for compensation under NRDA?

9 MR. BROSNAN: Yes, that's a great  
10 question, and I want to caveat this, by  
11 saying, I'd like to look into it further, with  
12 an attorney.

13 But essentially, if that activity  
14 was authorized by the response, by the Joint  
15 Information Command, then as an appropriate  
16 response activity, then I think it is fair  
17 game, that impacts from that response  
18 activity, similar to dispersants or if there  
19 are other adverse impacts from other things,  
20 we would be assessing, in terms of trying to  
21 understand the impact of that.

22 What I'm not clear on is whether

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1 that diversion was authorized by the Joint  
2 Information Command. I just don't know the  
3 answer to that. I don't think it was,  
4 honestly, but I'm not sure about that.

5 MR. DEWEY: Okay, thank you.

6 MR. BROSINAN: Sure.

7 CHAIR BILLY: Randy?

8 MR. CATES: My question is really  
9 for Steve or Tom. Are you -- is your agency --  
10 -- for the impact, or the lack of impact -- in  
11 the first place, I mean, it seems like people  
12 are almost upset that they're not finding the  
13 oil. Is that the case, or is what you  
14 expected to see?

15 MR. BROSINAN: Well, Steve, I could  
16 jump in first, and then you can add.

17 I would caution against any early  
18 pronouncements of impact. I think, you know,  
19 there have been obvious impacts and there has  
20 been tremendous economic impacts, clearly, to  
21 folks using the resources.

22 What's less clear is what is going

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1 on, on the sub-surface, how significant those  
2 impacts are.

3 I think it's pretty obvious, what  
4 the shoreline impact has been. We have some  
5 information about impacts to mega-fauna, like  
6 birds and turtles and whales, at least at a  
7 growth level.

8 But there are lots of study and  
9 lots of assessment that is going to be needed  
10 to understand what the real impact has been to  
11 a variety of resources actually out in the  
12 water column and habitats that they occupy.

13 A case in point is, you know,  
14 sometimes, impacts aren't obvious for a couple  
15 of years. If you look at the Exxon Valdez  
16 experience and the Pacific herring, in  
17 particular, it took a couple of years for them  
18 to realize that that fishery had collapsed.  
19 It was not obvious in the first weeks or  
20 months, or even first year of the spill.

21 And so, I would caution folks  
22 against early pronouncements of either, you

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1 know, catastrophic disaster, which, you know,  
2 we all saw out there in the press, or of, you  
3 know, this is only a minor impact.

4 I think the true impact is yet to  
5 be seen and I think that's why, you know, we  
6 have teams of scientists out there currently,  
7 trying to understand what that impact is, and  
8 I would caution against any rush to judgment  
9 on that. I'd like to see the science play  
10 out.

11 MR. CATES: A quick follow up to  
12 that, though. Steve, if you can answer that.

13 Earlier, you stated the use of  
14 dispersants that they made a decision to use.  
15 Was NOAA part of the `they'? Who made that  
16 decision?

17 MR. BROWN: Well, I would assume  
18 Admiral Allen, since he signed off on it. I  
19 wasn't there. So, I don't know specifically,  
20 but it was authorized, as far as I understand  
21 it. So, I think that's who the `they' would  
22 be.

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1 I just want to really agree with  
2 what Tom was saying, that the impacts may play  
3 out over many years.

4 You know, for example, sea turtles,  
5 what happened to the class of sea turtles?  
6 Well, it might take 30 years before we know  
7 that. Their life cycle -- that's just what  
8 their life cycle is.

9 And so, we don't really know all  
10 the effects yet, and we don't know where all  
11 the oil is.

12 I will say that some of the  
13 scenarios ended up not playing out, so, that's  
14 true. We were -- one issue that I think we  
15 were fortunate on is, there was a lot of  
16 concern that some of the oil would be  
17 entrained into the lube current and go up,  
18 even on the East Coast, and that didn't  
19 happen.

20 So, you know, that was an issue.  
21 That was just luck, basically. So, some of  
22 the worse case scenarios didn't play out, but

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1 there's a lot that we don't know. So, that --  
2 you know, that information is yet to be  
3 determined.

4 CHAIR BILLY: Tony?

5 DR. CHATWIN: Thank you. Thank you,  
6 Tom, for your presentation. I have two  
7 questions.

8 One is, when are restoration  
9 efforts likely to begin, and I ask that, with  
10 an understanding that we're in an assessment  
11 mode right now, but as you pointed out, some  
12 of things -- some of the impacts are more  
13 obvious than others, and I wonder how -- at  
14 what point do restoration efforts begin?

15 MR. BROSINAN: Okay, classically,  
16 they happen at the end of the damage  
17 assessment. But they can happen anytime in  
18 between. What it takes is identification of  
19 appropriate projects, but then, there also has  
20 to be agreement with the responsible party, to  
21 implement those projects before the damage  
22 assessment is completed.

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1           We cannot compel them legally to do  
2 an early restoration project. We can only  
3 compel them at the end of the day, when we  
4 provide all of the evidence together, and what  
5 scope the damage is and the total amount of  
6 restoration that's required.

7           But we are considering, we are  
8 actively considering, as -- in the Trustee  
9 Council, opportunities for early restoration,  
10 and I think there would certainly be interest  
11 in conducting some early restoration, if that  
12 was possible, but those discussions are  
13 currently happening within the Trustee  
14 Council, to see where they might go.

15           It is possible, but it's not  
16 something that we'd enforce.

17           DR. CHATWIN: Okay, thank you.  
18 Then, just one more question, if I may, is,  
19 you know, prior to the oil spill, there were a  
20 number of known conservation needs for the  
21 Gulf of Mexico, a number of plans and -- that  
22 identify needs and how do you take into

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1 account, some of the -- how do you take into  
2 account, those known conservation needs, when  
3 considering what the impacts are and how far  
4 to go with restoration?

5 MR. BROSINAN: Okay, there are two  
6 things there. We certainly would like to take  
7 advantage of the restoration plans that are  
8 out there, and we're also going to be taking  
9 advantage of coordinating closely with the  
10 Mabus Plan, that Steve described earlier.

11 You know, some of those restoration  
12 plans that have been out there, NOAA has been  
13 integral to developing.

14 So, you know, we're -- NOAA is a  
15 long term player in the Gulf. We're well  
16 aware of many of those plans and as part of  
17 the restoration planning process, we'll be  
18 asking the public for -- to bring additional  
19 ideas and projects forward.

20 In terms of determining the  
21 appropriate type and amounts, that all gets to  
22 the idea of nexus, and that's very strongly

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1 built into the Oil Pollution Act, that we have  
2 to create that tie-in between the types and  
3 amounts of resources, of habitats that have  
4 been lost, and tying it directly to the  
5 restoration that will offset that loss.

6 So, we can and have certainly used  
7 regional restoration plans, or other plans  
8 that have been available and on the shelf,  
9 projects that are just waiting for funding,  
10 and use that to offset the losses for our  
11 damage assessment, and I think it's certainly  
12 possible to do that, in this case, as well,  
13 and certainly, a part of the damage  
14 assessment.

15 But we will have to quantify.  
16 We'll have to quantify both the losses and  
17 then the benefits that comes from any  
18 individual projects, whether the marsh  
19 creation or the preservation of habitats, or  
20 maybe oyster projects or fishery projects, or  
21 what have you.

22 We'll have to look at the ecosystem

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1 services that flow from those projects and  
2 match them up with ecosystem services that  
3 have been lost, or impacted due to the spill,  
4 and we do that through quantification.

5 One of the tools we use is habitat  
6 equivalency analysis, I'm not sure folks have  
7 heard of that before, but if you'd like to  
8 hear more about it, we do have an economics  
9 pages, where it is described, that describes  
10 how we do that, that ecosystem service, losses  
11 and gains, and create that balance.

12 DR. CHATWIN: Great, thank you very  
13 much.

14 MR. BROSNAN: You're welcome.

15 CHAIR BILLY: Any other questions,  
16 before we break? All times, available?  
17 Steve?

18 Okay, well, thank you very much.  
19 That was very informative.

20 MR. BROSNAN: Thank you.

21 CHAIR BILLY: Both speakers.

22 MR. BROSNAN: Thank you. Feel free

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1 to call us, if you need to.

2 CHAIR BILLY: All right.

3 VICE CHAIR McCARTY: Thank you, Tom.

4 CHAIR BILLY: Okay, now, I think  
5 we'll take about a 15 or 20 minute break.

6 (Whereupon, the above-entitled  
7 matter went off the record at 10:20 a.m. and  
8 resumed at 10:50 a.m.)

9 CHAIR BILLY: Okay, after further  
10 consultation, what we're going to do is  
11 postpone the discussion on MAFAC business,  
12 including the action items and nominations and  
13 so forth, to Thursday afternoon.

14 So, that's postponed until Thursday  
15 afternoon. Eric will be here, which is good,  
16 and we can deal with it in that time, and in  
17 the intervening time, there can be discussion  
18 among the Committee members, regarding, you  
19 know, the nomination of a new Chair, as well  
20 as any other thoughts you have about new  
21 action items, and our general plans for the  
22 future.

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1           So, we're going to go on now, to  
2 budget and strategic planning. Gary and Paul  
3 are going to share the hour we have scheduled.

4           I don't know which one is going to go first.  
5 Paul? Okay, Paul.

6           Paul is going to talk to us about  
7 the status of the final NOAA next generation  
8 strategic plan, and a little more focus on the  
9 input that we provided, and NOAA's response to  
10 that. Paul, the floor is your's.

11           MR. DOREMUS: Thank you, very much.

12           I really appreciate the opportunity to be  
13 here and see you again, and to be here to  
14 explain where we ended up with our strategic  
15 planning process, and the content of the  
16 document.

17           At the risk of being formal, I  
18 thought I would stand up here, just so I could  
19 see everybody, from that vantage point. I was  
20 kind of missing the whole wing of the table.

21

22           MS. LOVETT: Do you want me to turn

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1 that a little more for you?

2 MR. DOREMUS: That's okay.

3 MS. LOVETT: Okay.

4 MR. DOREMUS: We'll be fine. So, my  
5 main purpose here today is to kind of cover  
6 the very -- in very brief form, the core  
7 content of the strategic plan, and I want to  
8 focus on how we modified it, to address the  
9 observations that you provided in your formal  
10 comments, and then just a couple of words on  
11 how we're going about implementing it.

12 But before getting underway, I did  
13 want to extend my personal thanks and  
14 congratulations to the Chair, on his  
15 leadership of the MAFAC for the last couple of  
16 years.

17 I have gradually learned, in my  
18 interactions over time that you and I actually  
19 think quite a lot alike, and have taken very  
20 similar approaches to the use of planning and  
21 managing organizations, and I think your  
22 leadership of MAFAC has been exemplary.

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1           Your focus on the development of  
2 Vision 2020 and the use of that to guide the  
3 thinking and the work of the community  
4 represented here, and to influence NOAA, very  
5 strategically in the process, is enormously  
6 admirable, and I'm quite grateful to you for  
7 your leadership efforts. So, thank you very  
8 much and congratulations.

9           CHAIR BILLY: Others give credit  
10 where credit is due. Thank you.

11           MR. DOREMUS: Absolutely. I'll try  
12 to move through this relatively quickly,  
13 because I do want to -- I do really value the  
14 opportunity to talk.

15           A brief slide on why we do this,  
16 this is not just a document. I've emphasized  
17 this repeatedly, and in ways that you are  
18 certainly familiar with.

19           Two major points here. We are  
20 using this document and are going down the  
21 path right now, for framing our investment  
22 decisions and our kind of choices about our

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1 priorities and what we will pursue over the  
2 long term, and I also want to emphasize here,  
3 the stakeholder support angle. That's where  
4 you all come in.

5 We take your advice and your  
6 guidance extremely seriously and closely,  
7 particularly as a formal Advisory Committee.

8 I've made it kind of a personal  
9 mission to make sure that we're closely  
10 connected to and listen to all of our Advisory  
11 Committees, and sub-groups within them, and I  
12 think your work, again, having very well cast  
13 priorities in Vision 2020 and use that as sort  
14 of a reference point for your guidance to NOAA  
15 has been very valuable, and we've taken that  
16 to other of our Federal Advisory Committees.

17 But to just sort of, in a way,  
18 perhaps, frame a little bit of what Gary is  
19 going to talk about, this capability of NOAA  
20 to interact in a positive way with the  
21 stakeholder community on resource issues is  
22 going to be an ever increasingly, I think,

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1 significant part of our ability to succeed in  
2 the future.

3           You don't need me to tell you that  
4 we're heading into a very, very strong fiscal  
5 kind of headwinds, if you will, and it's going  
6 to be not just the strength of our business  
7 case, from those of us working on the inside  
8 the craft, our strategy and our value  
9 analysis, and get that forward into the  
10 budget.

11           It's going to be the support in the  
12 whole, from our stakeholder community, to get  
13 the shape -- to shape things equally --  
14 significantly, for the organization.

15           So, a quick overview of the  
16 strategy. We started with our mission. There  
17 is some slight modifications to that, to sort  
18 of emphasize how people are talking about it,  
19 particularly in our current leadership team,  
20 the focus on the overarching scientific nature  
21 of NOAA's work, we generate science, we use it  
22 in our management and we communicate it.

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1           So, this mission statement was  
2 slightly revised, but the taglines of science,  
3 service, stewardship are ones that sort of  
4 endure, that NOAA really thinks about itself,  
5 in that -- in those terms, and this  
6 represents, in large measure, everything from  
7 our longer term research capabilities, all the  
8 way through to our management and stewardship  
9 functions.

10           The way we've cast the strategy  
11 really centers on the long term vision. One  
12 of the things that's new about this plan is  
13 its time frame, and the centerpiece of the  
14 kind of outcome nature of what we're trying to  
15 achieve is really captured by this notion of  
16 resilient ecosystems, communities and  
17 economies.

18           That's the sort of ultimate nexus  
19 of everything that we do, in terms of our  
20 strategy and our goals of building towards a  
21 future state, where our natural ecosystems,  
22 our physical world, our human communities,

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1 people in institutions, are resilient in the  
2 face of change.

3 So, it's kind of a future state  
4 that we contribute to, through these four  
5 major dimensions of climate, weather, oceans  
6 and coast, and I'll get to the actual goal  
7 statements in each of these in a second.

8 But this captures the long term  
9 intent of a society that is adapting to  
10 climate and mitigating, where possible, a  
11 nation that's prepared for weather and extreme  
12 events, ocean resources that are healthy,  
13 coastal communities that are resilient, but  
14 stating those long term outcomes, and the text  
15 in white is the five year framing of our  
16 objectives to get there. That's where you  
17 would see a lot of reference.

18 Underlying this, in our former  
19 generation of strategic planning, we had sort  
20 of independent goals for our infrastructure.

21 There are distinctive assets that  
22 NOAA manages, its science enterprise, with its

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1 research capabilities, its observing systems,  
2 and a modeling that sort of pulls everything  
3 together, as kind of a foundational layer that  
4 supports all of our mission goal efforts, and  
5 likewise, our capacity and methods of engaging  
6 with our strategic partners and with external  
7 stakeholders, kind of broadly with the public,  
8 on a regional scale, based on the nature of  
9 the issues that we're addressing, in the  
10 natural world and in human communities, and  
11 also, on the international scale, as well, are  
12 going to be absolutely critical to our  
13 success.

14 This is something that you all have  
15 emphasized. We did do a lot of changes in the  
16 plan to try to draw that out, but in terms of  
17 the structure of the plan itself, we're  
18 recognizing engagement in a very fundamental  
19 way and of course, underlying organizational  
20 administration pieces that are not necessarily  
21 distinct to NOAA, but how well we do those  
22 things, in terms of our management of people,

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1 our physical infrastructure, our information  
2 technology and our management systems. Those  
3 will be central to our ability to function.

4 So, that was sort of the graphical  
5 representation, but the plan on a page, in  
6 terms of narrative, is on the flip-side of  
7 that page in your actual document, and it  
8 centers on this mission of science, service,  
9 stewardship, resilient ecosystems, communities  
10 and economies and these four goals, and I just  
11 want to emphasize these outcome oriented  
12 statements, because they're sort of framing  
13 our purpose for why we do this.

14 It's less of a role statement and  
15 more of an end objective, a kind of end state,  
16 that we're trying to ultimately achieve over  
17 time.

18 I've always argued that NOAA is in  
19 a long term line of business, and we need to  
20 think about what we're managing and what --  
21 the science that we're evolving to improve our  
22 management, on time frames that are constant

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1 with the nature of the resources that we're  
2 managing, and the pace at which these  
3 phenomena actually change.

4 When you parse this up, the oceans  
5 one, what we're ultimately aiming for, marine  
6 fisheries, habitats and bio-diversity  
7 sustained within a healthy and productive  
8 ecosystem, that's sort of the future state.

9 The five year pieces center on,  
10 fundamentally, ecosystem research tied to  
11 resource management decisions, largely  
12 protected resources, habitats, and of course,  
13 sustainable fisheries, and these are kind of  
14 outcome oriented statements for each of those  
15 goals.

16 I've also included in back-up, a  
17 very significant portion of our thinking, and  
18 this is represented by the bulleted items  
19 under 'evidence of progress,' where we're  
20 really trying to frame in very clear,  
21 observable terms, what we're trying to achieve  
22 in each of these domains, and that's going to

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1 be a very close reference point, and we paid a  
2 lot of attention to those items in the plan as  
3 we evolved it through public review.

4 So, a couple of things that really  
5 make this plan quite different from prior  
6 generations is its long term view. The  
7 structure of the goals is very different. We  
8 have a climate goal that has much greater  
9 programmatic diversity within it, particularly  
10 a services component that didn't exist before.

11 We've got a weather goal that's  
12 much more interpenetrated with our other  
13 goals, particularly healthy -- the coastal  
14 communities goal, and of course, we've parsed  
15 what used to be a giant ecosystem management  
16 goal, into these two components centering  
17 healthy oceans and resilient coastal  
18 communities, largely centered on our  
19 regulatory management functions and our kind  
20 of environmental information services that  
21 come into play.

22 I also very often use this slide to

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1 point to the important role of evidence of  
2 progress as sort of a monitoring mechanism  
3 that we're going to use engage our progress,  
4 as we go forward.

5 Just a couple of points on the  
6 broad public comment period that we got, and  
7 then I went to step through the pieces of our  
8 response to your major observations.

9 Similar to you and similar to our  
10 Science Advisory Board and others, our Version  
11 4 that we put out for public review, people  
12 felt even though we did have, throughout the  
13 text, references to partnerships that were  
14 critical to our ability to achieve these  
15 objectives, and we had a concluding section  
16 that descriptively characterized those in the  
17 different goal domains, people felt as though  
18 that we didn't capture the interdependence  
19 that NOAA has with its stakeholder partnership  
20 community, in particular.

21 And so, we really changed how we  
22 did that and emphasized the different nature

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1 and kind of composition of the enterprise  
2 within each area.

3 So, the types of partners that we  
4 work with in the weather domain is very  
5 different than in the oceans domain and the  
6 coastal domain. We try to characterize those  
7 in general terms, without listing  
8 organizations and institutions, which gets  
9 into this infinite regress of citations, if  
10 you will.

11 So, we tried to keep it at the  
12 enterprise level, just on a broad descriptive  
13 level.

14 The other points here that I wanted  
15 to emphasize were, the challenge that we  
16 always have, particularly when you truly take  
17 an ecosystems approach to things, you see how  
18 everything is interlinked, and folks felt in  
19 the earlier version, in Version 4, that there  
20 was not enough teasing out of the  
21 relationships between some of these goals.

22 The focus of developing climate

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1 information for application in our ocean and  
2 coastal domains, and likewise, from that side,  
3 a reciprocal focus on the application of  
4 information, about how natural systems are  
5 changing, particularly from climate drivers,  
6 not only those, incorporating that content  
7 into management decisions, that was a big part  
8 of what we changed, and as I've alluded to  
9 before, there was a great deal of focus in the  
10 public comments on how we were using, and  
11 specifically, what the indicators were of the  
12 evidence of progress, what you would see if we  
13 were successful in these areas, and there was  
14 considerable fine-tuning of those, in ways  
15 that show up with your comments, as well.

16 So, a few quick slides and then we  
17 can open things up. One of the major points  
18 that you all raised to us, first stems from  
19 that broader point that I made, about  
20 interrelationship between goals, particularly,  
21 your references to climate and the importance  
22 of climate information for a lot of our

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1 management functions on the healthy oceans  
2 side of the fence, and you will see references  
3 at the highest level within climate of the  
4 rationale for improving our climate  
5 understanding and our service capability being  
6 routed in the need for that information in our  
7 management functions.

8           You will also see it in the  
9 assessments objective and in the services  
10 objective, these direct linkages to our  
11 management functions and likewise, on -- in  
12 those management functions, those -- the  
13 development of new indicators of progress and  
14 elements within each of the goals on the  
15 habitat side, on protected resources and  
16 particularly in sustainable fisheries, on  
17 understanding these long term drivers and  
18 incorporating them within our management  
19 decisions.

20           So, that was, I think, very  
21 significant development, and one of the things  
22 that I feel has been an underappreciated part

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1 of the rationale for NOAA developing climate  
2 services, which you all know, we've made quite  
3 a substantial organizational commitment to, is  
4 because of the demands within our own mission  
5 functions for improved information about  
6 changing climate conditions and the impacts on  
7 ecosystems.

8 So, that was, I think, a major  
9 improvement in that, on the basis of that  
10 input.

11 There was also some references that  
12 you were looking for, the kind of cross-  
13 fertilization of our statutory mandates from  
14 the ocean to the coastal side.

15 We did do some improvements there.  
16 We kept the references, explicit references  
17 to Endangered Species and Marine Mammal  
18 Protection Act more centered on the healthy  
19 oceans goal, because of the concentrated focus  
20 in that second objective on those underlying  
21 mandates.

22 But the scope of Magnuson is, as a

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1 statutory driver, does truly span the ocean  
2 and coastal domains, and we tried to reflect  
3 that little bit more clearly in ways that you  
4 suggested.

5           There was a considerable amount of  
6 focus in your comments on aquaculture, and we  
7 spent a lot of time looking closely at those,  
8 in the sort of prominence and nature of our  
9 focus on developing aquaculture capabilities  
10 was very heavily affected by some of our early  
11 discussions, actually, back in Monterey, where  
12 we had a lot of exchange along those lines,  
13 and we did do some significant improvements  
14 here.

15           We did not kind of pull out a  
16 separate aquaculture objectives. The very  
17 strong feeling, as we got through all of this,  
18 is that we needed to consider and look at  
19 aquaculture in the context of sustainable  
20 fisheries writ large.

21           That is what NOAA is charged to do  
22 in aquaculture, in our view, and it's cast in

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1 this way as central to our long term goal of  
2 sustainable fisheries, and we tried to capture  
3 that very clearly and also, drew out some  
4 specific references to what we anticipate  
5 doing in the next few years, ranging from the  
6 development of -- and kind of implementation  
7 of natural aquaculture policy, through to the  
8 types of support from research, through to  
9 actual application and management of support  
10 for the development of aquaculture  
11 capabilities in the organization.

12 Also, couch this with very clear  
13 references to the fairly dramatic  
14 characterization of seafood consumption  
15 relative to production, which is, I think,  
16 part of what the conversation in Monterey was  
17 all about.

18 So, we tried to make it very clear  
19 that that was within our sight, as far as what  
20 this overarching goals and sustainable  
21 fisheries is trying to accomplish.

22 So, that was sort of modified

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1 version of your recommendations, as far as our  
2 response goes.

3 Lots of comments from our external  
4 stakeholders, and you all were right in there,  
5 and quite appropriately so.

6 This is an aspirational plan. This  
7 is a plan that shows, given our mandates, what  
8 NOAA really should be doing, both in the  
9 intermediate to long term, and there is  
10 substantial resource implications for this.

11 We did not limit ourselves to  
12 current resources when looking at this plan,  
13 and each year, as we sort of push out our  
14 claims to the system for what should be  
15 invested, what the investment priorities  
16 should be, the reference point is going to be  
17 in these fundamental goals and objectives that  
18 we charted out here.

19 And again, as I alluded to earlier,  
20 I think the demand pull from our stakeholder  
21 community will be absolutely decisive in our  
22 ability to continue to stay on path with

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1 addressing these very, very broad and long  
2 term challenges that we've charted out in this  
3 plan.

4 So, the resource path is kind --  
5 kind of follows, with the direction that we're  
6 setting here, and we look forward to, as  
7 always collaborating with you very closely in  
8 that whole process, to the extent that we can.

9 Finally, a comment about -- and the  
10 bottom line here is the -- the comment that we  
11 certainly wholly endorse, I personally do, as  
12 you know, focusing on the importance of  
13 partnerships, our relationship with MAFAC  
14 being one of several very critical ones to  
15 NOAA.

16 I put them in the categories of  
17 strategic partnerships. These are enduring  
18 partnerships, where we have shared resources  
19 and very deep commitment to working together,  
20 to achieve our broad public mission  
21 objectives.

22 We had a review process that kind

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1 of got you guys in a bind, and I apologize for  
2 that. That's a mea culpa, from my end, just  
3 in terms of the logistics and the final  
4 version, it was difficult for you guys to work  
5 that out.

6 Very often, I think we had -- we  
7 had originally, a four week review period. We  
8 extended that to six, to try to accommodate  
9 some of these processes, and we'll certainly  
10 add more time for that type of final  
11 consultation in the end, given the challenges  
12 of the formal delivering body like this,  
13 convening on a complex document.

14 But we do really value that input  
15 and I think it's made a substantial difference  
16 in the content and value of the bottom line in  
17 this plan.

18 One comment on what we -- how we  
19 would implement it, just one slide, and then  
20 where we are today, and next steps.

21 One of the first things the new  
22 Administrator Jane Lubchenco asked us to do

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1 was to really step back and think about how  
2 we're implementing our long term strategy.

3 When she came in, and through this  
4 whole transition process, she had a very  
5 difficult time tracing priorities into the  
6 budget.

7 She said, "I want a simple  
8 relationship, where strategy drives the  
9 budget, and I want to see a real focus on  
10 actual performance towards those goals over  
11 time, and I want to see the system that's a  
12 whole lot more efficient than I understand  
13 this thing is currently operating to be," this  
14 complex plan and programming and budgeting  
15 execution system that we had been trying to  
16 manage over the last prior years.

17 So, we took that as a major charge  
18 and were implementing this plan in a very  
19 different way, simply calling it a traditional  
20 strategy execution and evaluation cycle, and  
21 right at the center of that, and I think this  
22 is a very fundamental aspect of how we're

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1 changing things, we're moving from a very  
2 complex structure, where we have a sense -- an  
3 organization set up, a strategy organization,  
4 with goals and programs to develop NOAA's  
5 plans and then, the executing organization  
6 that was the funded machinery to pursue it,  
7 we're putting those things together.

8 I was talking a little bit with Tom  
9 about this. It's very straight forward, when  
10 you look at it, but it's actually a pretty  
11 major change for NOAA.

12 Our line offices and in many  
13 respects, our staff offices that support them  
14 are -- this is their plan. They're  
15 accountable for executing on it, and we're  
16 setting up now, the whole mechanism of  
17 alignment of this long term plan to the  
18 implementation plans that the lines are  
19 developing in the coming months, their  
20 operating plans for the coming year and  
21 executive performance plans are all going to  
22 link to this thing.

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1           So, we're truly using it to manage  
2 the whole organization and the line offices  
3 and staff offices are right at the center.  
4 So, that's a very substantial change in how  
5 we're doing business.

6           So, this plan has gone through an  
7 enormous amount of review. It's right on the  
8 verge of being made public. You all got a  
9 copy of Version 5 that was the post -- that is  
10 the post public comment version, and we're  
11 getting political sign off on that now, from  
12 our leadership team.

13           So, that's literally in the coming  
14 days, that final review, and we're  
15 anticipating Jane Lubchenco's review by the  
16 end of this week or early next week.

17           So, depending on how that all turns  
18 out, we expect to go public with this, very,  
19 very quickly, and these are the pieces that I  
20 mentioned before.

21           We have been working with  
22 leadership on what the first, kind of step in

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1 the direction of this is, that will get framed  
2 in the Annual Guidance Memorandum, and then  
3 implementation planning and annual operating  
4 plans are going to be the mechanisms for the  
5 lines, to sort of show what they can do, given  
6 resource constraints for planning, real  
7 dollars and under constrained environment,  
8 which is, again, a major change for conducting  
9 business, and we're going to link that into  
10 the choices that leadership makes about our  
11 broad investment portfolio that gets driven  
12 ultimately, into the budget, which will  
13 progress in its familiar and very tortured  
14 way, through the system. We'll leave Gary to  
15 explain how that's going to work.

16 But that's where we're going and I  
17 do again, want to thank you all for focusing  
18 attention on this document, it's a very  
19 relevant one for us, and we're going to  
20 implement it with a great deal of  
21 organizational commitment and focus, and I  
22 think it's a great reference point, kind of

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1 common reference point for us, for what NOAA  
2 is trying to achieve and we'll evolve this, as  
3 we go.

4 But I appreciate both your support  
5 on the front end and even more so, as we go  
6 forward and try to pull the resources together  
7 and achieve the actual long term outcomes that  
8 we're trying to -- we're setting out here to  
9 achieve. Your commitment and contribution to  
10 that will be absolutely central.

11 So, thank you, and again, in  
12 particular, thanks to the Chair and  
13 congratulations again, on your very successful  
14 team.

15 CHAIR BILLY: Thank you. Comments?  
16 Questions? Vince?

17 MR. O'SHEA: Thank you, Mr.  
18 Chairman. Thanks, Paul, for coming over. I  
19 got the part where Dr. Lubchenco came in and  
20 said what they were doing before was too  
21 convoluted, "Straighten this out."

22 What I missed was, I thought what

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1 you were doing before was being driven by OMB,  
2 and OMB was saying, "If you want any money,  
3 you've got to do this convoluted process."

4 So, what I missed is, how did you  
5 get OMB to buy this new streamlined process,  
6 or is that the way --

7 MR. DOREMUS: What was being driven  
8 before was really being driven by our  
9 leadership team, at the time.

10 MR. O'SHEA: Not OMB?

11 MR. DOREMUS: Not OMB, no.

12 MR. O'SHEA: Okay.

13 MR. DOREMUS: Yes, OMB is pressing  
14 for a lot of things that are consonant with  
15 how we're designing this system. There is a  
16 very, very substantial focus on evaluation.  
17 There is a very substantial focus on kind of  
18 an outcome orientation and kind of strategy  
19 driven business case.

20 MR. O'SHEA: GPRA stuff?

21 MR. DOREMUS: Yes, but in a  
22 different way. One of the things that they're

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1 really trying to cultivate is kind of a shift  
2 from GPRA reporting mentality, you know,  
3 you've got to show all these green indicators  
4 out there, to having a system and actually  
5 using very effective program evaluation to  
6 learn about impacts over time, how programs  
7 are actually functioning, are your theories  
8 playing out in practice, and how can you  
9 adjust?

10 So, this concept of organizational  
11 learning and improving performance, that's at  
12 the center of what they're trying to do.

13 They're not prescribing business  
14 systems for how people work. They never  
15 prescribe PBDS for us. They actually, in the  
16 end, focus on the resource requests, the  
17 justification for those requests and  
18 increasingly, how well those resources can be  
19 tied to real evidence of performance.

20 So, their focus, I think, is one  
21 that will be better positioning, at least on  
22 intent -- you know, our intent is to be better

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1 positioned through this system, then focus  
2 directly on those things and kind of back off  
3 on some of the well-intentioned, but a little  
4 top-heavy aspect of PBDS.

5 MR. O'SHEA: Thank you.

6 MR. DOREMUS: Sure.

7 MR. O'SHEA: Thank you, Mr.  
8 Chairman.

9 CHAIR BILLY: Bill?

10 MR. DEWEY: Under Admiral  
11 Lautenbacher, NOAA went through matrix  
12 management.

13 MR. DOREMUS: Yes.

14 MR. DEWEY: Is that a thing of the  
15 past, at this point, or -- in the value I saw  
16 of the matrix management, was trying to break  
17 down there's no --

18 MR. DOREMUS: Yes.

19 MR. DEWEY: You get better  
20 coordination between the different line  
21 offices and so on. Can you speak to that?

22 MR. DOREMUS: Absolutely. Well,

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1 what we're trying to do is preserve the intent  
2 of that matrix functioning, but just do it in  
3 a much leaner way.

4 The way that was done, under the  
5 last administration, was to set up programs  
6 that were semi-independent on the executing  
7 organizations to do -- to build integrated  
8 plans, and it was very difficult to see the  
9 connection back into the executing offices.

10 So, we're putting the requirement  
11 on the formal organization for integrated  
12 planning.

13 So, while fisheries is the lead  
14 line office, on healthy oceans goal, a lot of  
15 the capabilities they're going to need to draw  
16 upon reside in other parts of the  
17 organization.

18 So, they're putting together  
19 integrated plans. These implementation plans  
20 that we've designed here start off with  
21 showing where all the capabilities reside in  
22 the organization, which defines the community

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1 people you need to work with and pull together  
2 a plan.

3 So, we're trying to pursue the same  
4 intent of maximizing the use of NOAA's  
5 capabilities, wherever they reside  
6 organizationally, but to have our formal  
7 organization accountable for actually doing  
8 that.

9 So, at the top of the chain here,  
10 Eric Schwaab is going to have to, you know  
11 vouch for what he is trying to do in using the  
12 capabilities of his line office to achieve his  
13 NOAA-wide set of objectives, and that's the  
14 case for all of the goals.

15 We, likewise, have, on those  
16 enterprise functions, those green layers of  
17 science, technology, engagement and  
18 organizational administration; we have much  
19 greater reliance on our formal council  
20 mechanisms for that integrated function.

21 So, how do we optimize our  
22 observing system assets, given the breadth of

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1 our goals and objectives related to this, but  
2 those are where some of the biggest  
3 challenges, in my view, are going to come in,  
4 where major portions of NOAA's resources are  
5 invested, and that's where we're going to face  
6 very challenging resource driven choices, in  
7 the end.

8 But we're trying to keep that focus  
9 on -- over NOAA, just going about it in a  
10 different manner.

11 DR. CHATWIN: Thanks for the  
12 presentation. I have a couple of questions,  
13 actually, it's one key question, to me.

14 I think the objectives are good,  
15 but the question remains, how would we know  
16 that you've actually made progress on some of  
17 these, and I know that maybe the objective, it  
18 might be at too broad a scale, but improved  
19 understanding of ecosystems to inform resource  
20 management decisions.

21 I mean, is there a baseline, a  
22 current baseline, that's from which you will

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1 be able to measure improved understanding, and  
2 the same goes to healthy habitats.

3 Is it going to be a -- at what  
4 point in this structure are those parameters  
5 going to be set out?

6 MR. DOREMUS: Those are going to be  
7 set in place in the performance measures that  
8 are used in these implementation plans.

9 We tried to keep the evidence of  
10 progress kind of out of the media territory of  
11 performance metrics, and more of the broader  
12 evidence of the progress.

13 It's much more tractable on the  
14 objectives like habitat than it is on some of  
15 our research objectives, and I think we're  
16 going to rely -- need to rely ultimately on  
17 qualitative assessments, in some of those  
18 areas, about the strength and utility of our  
19 ecosystem research and management needs.

20 I do think that there are ways that  
21 we can draw in more effective evaluations --  
22 external evaluation of our research functions,

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1 in ways that will inform that kind of  
2 judgment, so that we have external validation  
3 of the quality and utility and applicability  
4 of our research proposal.

5 So, we're not under any illusion  
6 that we have perfect evaluation systems in  
7 place now, but we're trying to set up, at  
8 least conceptually, the right types of  
9 observable objectives, and we're going to have  
10 to build improved evaluation capacity over  
11 time. It's not something we can just flip a  
12 switch on.

13 We're in a much better position in  
14 some objectives, in some parts of the  
15 organization, than in others.

16 DR. CHATWIN: A quick follow up.  
17 So, I manage a number of programs in my work  
18 that have undergone evaluations and have  
19 similar challenges in that they don't have  
20 these quantifiable goals that they're trying  
21 to achieve.

22 Actually, part of my job is to try

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1 to get them to a more quantifiable place, and  
2 the evaluation -- certain evaluations are  
3 really useful, even in the absence of those  
4 quantifiable goals, to understand if you're  
5 heading in the right direction.

6 If eventually you get to the point  
7 where you will have a quantifiable goal that  
8 you're striving for, what's the risk for the  
9 agency of not meeting those goals? Is there a  
10 disincentive to establishing such goals,  
11 because the goals -- quantifiable goals bring  
12 a lot of clarity --

13 MR. DOREMUS: Yes.

14 DR. CHATWIN: -- but there is the  
15 risk that you don't meet them.

16 MR. DOREMUS: Right.

17 DR. CHATWIN: What does that mean  
18 for the agency, if you set a goal and you  
19 don't meet it, in terms of funding and --

20 MR. DOREMUS: Ultimately, I think it  
21 comes down to the -- the quality of  
22 understanding of why the goals can be met.

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1 I could guarantee that we could get  
2 to green on all of our measures, and it's just  
3 by torquing the parts.

4 So, I think that the issue is how  
5 well we do the evaluation, what we've learned  
6 from it and how do we apply that knowledge  
7 back into our choices, how we run a business,  
8 what we -- you know, we change composition of  
9 our investment, greater reliance on  
10 capabilities, outside the organization,  
11 whatever the solution happens to be.

12 I think the issue is the underlying  
13 cause and what our response to that cause was,  
14 and how effective it is.

15 So, I don't think that it's  
16 inherently -- and this is a debate that's  
17 been going on for some time, and I think we  
18 kind of went down organization -- in public  
19 administration terms, we went down a less than  
20 helpful path with GPRA because it got focused  
21 on this issue of making sure that you have no  
22 down side risk and that you're always showing

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1 great performance on your metrics.

2 That's actually coming around and  
3 biting us, because people are saying, "You're  
4 doing fine. Why do you need additional  
5 resources?"

6 So, I think it ultimately comes  
7 down to the credibility and strength of your  
8 understanding and your arguments about how you  
9 are affecting the world that you set out to  
10 affect, and that's kind of a global statement,  
11 but it's the ability to actually see how your  
12 programs are performing and what the impact  
13 is, that people will -- in places like OMB,  
14 will respond favorable to, not intrinsically  
15 whether you've met 'x' percent of your  
16 requirements or not, but whether you have  
17 those systems in place and are using them in  
18 your management processes.

19 And I would like to talk to you  
20 further about non-qualitative research -- or  
21 evaluation development.

22 CHAIR BILLY: A couple of

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1 observations. One is, you should -- I agree  
2 with what you've done, in terms of recognizing  
3 the role that MAFAC and other Advisory  
4 Committees can have, the impact they can have  
5 on the front end of planning, and assisting in  
6 that, but I think that these committees can  
7 also play a significant role in the  
8 evaluation.

9 And I would encourage you think  
10 more about that, in terms of -- it would be  
11 limited, perhaps, to certain types of  
12 evaluations, but I think the breadth of  
13 knowledge and expertise and experience that is  
14 at this table can be invaluable in getting a  
15 real, honest assessment of progress, what  
16 worked, what didn't work, what's needed in the  
17 future.

18 The other comment I'd like to make  
19 is, back in the 1990s, I was in charge of an  
20 agency in agriculture. We did this kind of  
21 planning and I think it's excellent, what  
22 you've done.

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1           But the real -- where the rubber  
2 hit the street in the approach that I took,  
3 was in the Annual Operating Plans, because it  
4 came right down out of the strategic plan, the  
5 implementation plan, which in that case, was  
6 five years, to well, what are we going to  
7 achieve this year, and what we identified for  
8 each senior manager was then, attached to  
9 their performance plan and they were held  
10 accountable for doing it.

11           And at the end of that performance  
12 year, the question was, did you achieve it or  
13 not, and it was pretty straight forward, and  
14 it made working towards these -- the vision  
15 and the goals a reality, because it -- too  
16 often, there are disconnects between what  
17 you're expected to achieve in a year and the  
18 planning process and then the budget process,  
19 over here, and bringing those all together,  
20 where each senior manager knows they're going  
21 to be held accountable for what's attached to  
22 their plan, with regard to this type of

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1 approach.

2 So, I'd just make a suggestion that  
3 you might want to think about something like  
4 that.

5 MR. DOREMUS: Well, I really  
6 appreciate both of those recommendations.

7 I do agree with your first  
8 recommendation, that our formal Advisory  
9 Committees are well positioned to help us with  
10 evaluation.

11 One of the things that I'm trying  
12 to build is a capability, roughly four years  
13 from now, to actually look at the indicators  
14 of progress that we have in this plan and use  
15 bodies like this to assess whether we made  
16 substantial contributions towards them, as we  
17 anticipated or not.

18 We haven't worked out a formal  
19 mechanism for how to do that. It's kind of  
20 notional at this point, but I certainly agree  
21 that that's potentially a very valuable  
22 mechanism, particularly over a longer cycle.

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1           We're very much going down a  
2 similar path with the use of the Annual  
3 Operating Plans. We just had a leadership  
4 retreat, in fact, on Friday, where all the  
5 assistant administrators and our staff office  
6 directors got together with our appointed  
7 leadership team, and started that whole  
8 process.

9           The question was, what can you  
10 achieve in the coming year, in FY11, with  
11 resource assumptions that we're making now,  
12 given the somewhat ambiguous state of the FY11  
13 budget, and that's going to tie, not just into  
14 the organization, but it will define the  
15 organizational Annual Operating Plans, but  
16 also, the executive performance plans, as  
17 well.

18           So, that's part of this plan that  
19 we're trying to lay in, and we very much value  
20 your comments along those lines.

21           MR. MARTIN FISHER: You stole my  
22 thunder, Mr. Chairman.

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1 CHAIR BILLY: I apologize.

2 MR. MARTIN FISHER: That's quite all  
3 right, you did it very eloquently, thank you.

4 CHAIR BILLY: I probably was  
5 affected by the glare.

6 MR. MARTIN FISHER: So, I will pass.  
7 Thank you.

8 CHAIR BILLY: All right.

9 MR. MARTIN FISHER: Other than to  
10 say thank you for coming.

11 MR. DOREMUS: It's a pleasure.  
12 Thank you.

13 MR. MARTIN FISHER: We always enjoy  
14 your presentations, so, very good.

15 MR. RANDY FISHER: I guess to follow  
16 on to what Tom said, if I understand this  
17 correctly then, the implemented plan, that's  
18 an internal document.

19 MR. DOREMUS: Yes.

20 MR. RANDY FISHER: The Annual  
21 Operating Plans, those are internal documents.  
22 The corporate portfolio analysis, that's

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1 probably an internal document, and the  
2 budgeting is basically an internal document.

3 So what happens if somebody doesn't  
4 like part of that stuff that's all internal?  
5 Then what do we do?

6 MR. DOREMUS: I hope that there is  
7 an answer to that in this evaluation question,  
8 you know, the ability to extract from this  
9 process, what we're setting out to achieve.

10 We have raised the issue. I kind  
11 of live in the planning side of the house, and  
12 Gary lives a little bit more on the budgeting  
13 side of the house, and the minute you cross  
14 the line into something that's considered  
15 predecisional for the President's budget, it's  
16 a very --

17 MR. RANDY FISHER: Yes, we've heard  
18 that quite often.

19 MR. DOREMUS: It's a bright line and  
20 you're deeply familiar with it.

21 So, I'm trying to figure out, is  
22 there is some shade of grey, if you're able,

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1 particularly at this level, to talk about what  
2 your anticipated achievements are over time  
3 that might allow us, in a safe way, that  
4 doesn't get into budget implications, to talk  
5 about the composition of what we're focused  
6 on.

7           That may or may not be something we  
8 can do, but I appreciate your point. I know  
9 it's an enormous challenge, you have all this  
10 contribution, as Tom said, at the front end,  
11 and then it goes opaque on you for a fairly  
12 long period of time, and then you see this  
13 budget coming up and you're often, kind of,  
14 how did you get from -- sometimes, we share  
15 the mystery, by the way, in terms of how the  
16 outcome has to -- or what went in.

17           But I think if you're on the  
18 outside and the focus is on the anticipated  
19 performance and the evaluation over time, that  
20 might be a way to make sense out of this cycle  
21 a little bit better than we have up to this  
22 point in time.

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1 MR. RANDY FISHER: Can I make one  
2 little comment?

3 The thing that concerns me about  
4 this whole process is when I look at it, is  
5 that the climate part of this thing has the  
6 ability of eating up every dime that there is,  
7 because of concerns over what happens to human  
8 beings.

9 And we're sitting here trying to  
10 figure out how do we keep things going in  
11 fisheries, and I'm just getting worried that  
12 at some point, the drain is going to start  
13 happening, you know, what's happening, in  
14 terms of the investments we're doing in  
15 fisheries.

16 MR. DOREMUS: I think I can  
17 understand why you have that concern. I would  
18 actually say that in some fundamental  
19 respects, that those -- and it's one of the  
20 reasons we try to draw the linkages in the  
21 plan, between those two things.

22 Our need for climate information is

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1 driven by, in many respects, our resource  
2 management requirements. So, the two, to me,  
3 go hand in hand. Our evolution of climate  
4 services, our kind of first wave of  
5 development in climate information  
6 capabilities is the information that's needed  
7 to improve our management functions.

8 So, I think it's looking at these  
9 as -- and managing the interdependence between  
10 the two, instead of them being kind of  
11 separate and somehow mutually exclusive  
12 investments.

13 I also don't -- we're not in a  
14 position, in the organization, to be making  
15 trade-off decisions at that level of analysis.

16 I think particularly when you get into the  
17 Congressional review of our budget, and it's  
18 very often by mission domain, and very  
19 infrequently, are those domains looked at  
20 relationally.

21 So I'm not sure that it will always  
22 stay that way, but up to this point in time,

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1 it's largely been that way, large trade-offs  
2 across missions haven't been part of what --  
3 what people have been looking at is within  
4 mission effectiveness, total effectiveness,  
5 fundamentally.

6 But I do think what we do do to  
7 bring along climate is really, fundamentally  
8 driven by our application requirements on the  
9 management side of the house. Gary, would you  
10 like to comment on that?

11 MR. REISNER: Well, I just want to  
12 point out, so, the implementation plan, it  
13 does look like you've covered a lot of  
14 territory and years, but assuming that this is  
15 completed in the January time frame, the first  
16 year of that, the FY11, will really be the  
17 appropriation.

18 Hopefully, by then, we will have  
19 the appropriation. That will be telling us  
20 how we're going to execute what we're going to  
21 do.

22 The second year, FY12, will be the

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1 President's budget, all right, which will be  
2 released in early February, and it's the out-  
3 years, the `13 through `17, that aren't going  
4 to get released until those documents for  
5 those years come along.

6 So, the first two years of that  
7 thing will -- there are documents out there  
8 that will be telling you what we're going to  
9 be doing, namely, the appropriation, when it  
10 passes, and the President's budget, in  
11 February.

12 CHAIR BILLY: Heather?

13 VICE CHAIR McCARTY: Thank you, Mr.  
14 Chairman. Thank you, Paul, for taking us  
15 through this presentation. Thank you for  
16 that.

17 I was also going to ask something  
18 similar to what Randy has said. How the  
19 implementation plan is developed and whether  
20 it's a top-down or a bottom-up, if it is  
21 regional to the top -- we had this discussion  
22 at the MAFAC, a number of times, as to how the

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1 objectives of the agency translate into  
2 budget, and what role the public plays in that  
3 and what role MAFAC could play in that, that  
4 being a topic of conversation, I think, at the  
5 last two meetings.

6 So, I would make similar comments  
7 to what Randy did, i.e., what's the  
8 prioritization and how is the implementation  
9 plan developed and when do we see the results  
10 of it?

11 Gary's comments helped address that  
12 a little bit, but I'm still concerned that we  
13 won't know until it's over, `we' meaning the  
14 public, basically, the interested public, we  
15 won't know until it's over.

16 At MAFAC, we have felt some  
17 frustration in that because we see the plan,  
18 we help with the plan and we appreciate that.

19 It's almost like putting out an RFP, but not  
20 being able to, you know, take a look at what  
21 you get back and make decisions.

22 You know, it's an opaque process,

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1 as you've already said. So, that's more of a  
2 comment than a question, but maybe the  
3 question is on the implementation plan  
4 development, how does that, how is that being  
5 done, regionally and then up, is it top-down  
6 or how does that work?

7 MR. DOREMUS: Gary, do you want to  
8 weigh in before I --

9 MR. REISNER: Well, if you -- no, go  
10 ahead. You can talk generally and I can talk  
11 specifically.

12 MR. DOREMUS: Yes, I'll speak to  
13 your comment, to begin with.

14 As a formal Federal Advisory  
15 Committee, you know, MAFAC does have -- it  
16 does have an opportunity to have closed  
17 sessions, where predecisional information can  
18 be shared.

19 So, I think that there is some  
20 window for us to explore there, in terms of  
21 how you get access along the way, to what the  
22 current status is, at least just descriptive

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1 access, for you all to be aware of how this  
2 translation is going.

3 That's something that we'll have to  
4 look at with, you know -- from a formal basis,  
5 and make sure that we do that within all the  
6 due processes required by the statutes. But  
7 there is that capability for bodies to get  
8 those types of briefings.

9 So, that's one potential avenue, as  
10 well as this focus on evaluation that might be  
11 helpful to that broad challenge that you're  
12 raising there.

13 As far as how the implementation  
14 plans are intended to go, we're actually are  
15 sort of self-consciously trying to take a  
16 different approach to the bottom-up/top-down  
17 process than we did before.

18 One of the challenges in our last  
19 system of doing things is, we set planning of  
20 our goals out without resource constraints,  
21 and it generated this enormous -- it was  
22 actually, in some respects, a remarkable and

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1 very creative array of alternatives that came  
2 forward.

3 But we ended up developing  
4 alternatives that were several billion dollars  
5 above any -- even the highest anticipated  
6 budget, and we spent a lot of time working,  
7 you know, the tiers above core, and what our  
8 priorities were in the land that our budget  
9 was very unlikely to get to.

10 So, we're starting by using fiscal  
11 constraints and planning. We're setting some  
12 top-down guidance from the administrator with  
13 the AGM, but then letting the bottom-up  
14 process work, in terms of how we can best use  
15 our organizational assets to meet those  
16 objectives, and our hope -- and we'll see how  
17 it works, we'll adjust if we need to, but our  
18 hope is that that gets rid of a lot of work  
19 that was not able to get to fruition and that  
20 generated a lot of, I think -- internally, a  
21 lot of frustration on that expectation.

22 But at the same time, continue to

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1 use a great deal of innovativeness and sort of  
2 collaborative intent within the organization  
3 to address a more limited set of priorities.  
4 So, we have to have a better balance of  
5 bottom-up and top-down.

6 These implementation plans are  
7 centered on the line offices. Gary, one of  
8 the other things that we changed is, was to  
9 involve the budget and finance community,  
10 right at the beginning of this whole process.

11 So, Gary, with the strategy lead in  
12 fisheries, is sort of at the peak of the  
13 organizational mechanism for implementing  
14 these implementation plans.

15 So, we're trying to have the  
16 realism of executing organization requirements  
17 and current mission objectives, and the sort  
18 of longer term aspirational planning coming  
19 from our strategy team, and trying to keep  
20 them together a little bit.

21 CHAIR BILLY: Bill?

22 MR. DEWEY: Paul, I represent

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1 aquaculture and there's a few others -- or a  
2 couple of others here on MAFAC, and we  
3 appreciate the response to the aquaculture  
4 comments.

5 I guess I'm still concerned, as I  
6 look at how this Version 5 deals with  
7 aquaculture, that there's no reference to the  
8 10 year marine aquaculture plan, developed by  
9 NOAA, at MAFAC's request, that this body put a  
10 lot of effort into and NOAA did as well.

11 At this point, there is a bullet in  
12 there, under sustainable fisheries objective,  
13 that speaks to implementation of a national  
14 aquaculture policy and aquaculture priorities.

15 What assurance do we have that  
16 those aquaculture priorities are captured from  
17 that 10 year plan, or that our 10 year plan is  
18 going to get implemented?

19 MR. DOREMUS: We actually, self-  
20 consciously tried to craft that language  
21 around the centerpiece of the 10 year plan and  
22 had contributed to the development of that

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1 plan, and I consider them to be mutually  
2 supportive.

3 There is a whole array of  
4 derivative plans at the organization, starting  
5 at the level of line office plans, but all the  
6 way down into particular functions.

7 So, we didn't go down the path of  
8 trying to refer them all, because it would end  
9 up being very convoluted, but those two things  
10 are fully complementary. That plan -- any  
11 kind of major plan that the organization puts  
12 out like that is looked at for alignment and  
13 to make sure in both directions that we're  
14 lined up in a mutually supportive way.

15 So, you're getting a lot more  
16 detail on the approach to aquaculture in the  
17 10 year plan, but that's what we're trying to  
18 capture.

19 One of the things that I have to  
20 say from -- along those lines, so, I think  
21 there's strong alignment, and that's something  
22 you can continue to press on, from an

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1 evaluative point of view, at the Committee's  
2 discretion.

3           One of the things I have to  
4 remember was a phrase that Randy reiterated  
5 several times out in Monterey, the way that  
6 you put it is, what's our domestic production  
7 strategy, and I really like the clarity of  
8 that kind of focus and I think that that  
9 ultimate motivation that is coming from the  
10 community within this body, on what it will  
11 take to really develop a viable production  
12 procedure is what's motivating the aquaculture  
13 components of this, as well as that, in my  
14 view.

15           I wish we had been able to capture  
16 that succinctly, as I've heard you capture it  
17 sometimes.

18           CHAIR BILLY: Martin?

19           MR. MARTIN FISHER: Thank you, Mr.  
20 Chairman. Thanks again, Paul. I think there  
21 is a big question mark around the table, at  
22 least it seems like it's been discussed a lot,

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1 since I got here two years ago. What is  
2 MAFAC's effectiveness?

3 Many MAFAC members, you know, voice  
4 that question, and it's really hard to get a  
5 handle on how recommendations -- what they  
6 achieve, what they instill in the process.

7 Is there anything that you can  
8 offer us, as a Committee, as to how we might  
9 fine-tune our approach, and would it be  
10 appropriate for us to be more specific in our  
11 recommendations, such as, if we see an area  
12 needs more money, where we actually -- our  
13 recommendation would be, take x amount of  
14 money from this program and put it over here,  
15 or take x amount of money out of the budget  
16 and put it here, and how would the agency  
17 respond to recommendations, if we were to get  
18 that specific?

19 MR. DOREMUS: Gary? When it gets  
20 down to that level of detail and budget  
21 maneuvering, I'm not sure that that would be  
22 the most effective, particularly given the

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1 types of issues that we have with -- that were  
2 acknowledged earlier, with sharing budgetary  
3 choices.

4 MR. MARTIN FISHER: But at the same  
5 time, I think that the clarity on priorities  
6 and purpose and relative value of different  
7 things that we're trying to weigh, it's  
8 helpful for us and I think it could help us  
9 make some significant decisions.

10 So, how you cast that, in terms of  
11 -- at the right level of analysis, is what I'm  
12 not so sure about.

13 MR. REISNER: Well, we get a lot of  
14 interest in the budget and we get people that  
15 are trying to influence what we do, from both  
16 working the way up the chain and coming down.

17 So, letters of interest on issues  
18 that of importance to you, are valuable to us,  
19 because we use them. We also have letters of  
20 interest from the Administration, and does  
21 that have more sway than an external letter?  
22 Probably so, I mean, that's why we vote, and

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1 Congressional interest coming in.

2 So, but that's not to say that it  
3 doesn't hurt and certainly, even if we don't  
4 fund something that MAFAC may have expressed  
5 an interest in, it behooves us to be able to  
6 articulate back why.

7 MR. DOREMUS: Exactly.

8 MR. REISNER: And it could be a  
9 policy reason. It could be that this  
10 Administration, you know, has veered away from  
11 that area, or some other priority is there.

12 I mean, we have a significant  
13 deficit. The likelihood of us to be able to  
14 have some of the increases in our budget that  
15 we've had over the last few years is pretty  
16 unlikely, and so, that's a pressure we have to  
17 have and it's a pressure that the  
18 Administration has, in choosing where are they  
19 going to cut the budget to address the deficit  
20 issues?

21 You know, it gets down to, you  
22 know, a butter and guns type of issue,

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1 ultimately, and that feeds down, all the way  
2 down to NOAA fisheries.

3 MR. MARTIN FISHER: Thank you, Mr.  
4 Chairman. What about at the policy level?  
5 Would the agency be interested in getting more  
6 specific recommendations -- sometimes, the  
7 recommendations that are provided are fairly  
8 broad, and as Tony suggested, you know,  
9 performance metrics is -- or matrixes is, or --  
10 - I mean, would the agency be open to hearing  
11 more specific guidance from us, if we see a  
12 particular policy that might be -- that could  
13 be possibly be tweaked this way or that way?

14 MR. DOREMUS: I believe so, yes.  
15 Certainly, that ties to the evaluation  
16 question, which is on there, and I do think  
17 it's probably a broader conversation.

18 The question you started off with  
19 is a good question in a way to continually  
20 come back to ask about the overall  
21 effectiveness and the impact of Advisory  
22 Committee's work.

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1           The Science Advisory Board is  
2 asking the same thing right now. They're  
3 revisiting and readjusting the work groups and  
4 the focus that they're setting in the way  
5 ahead. They're working very closely with the  
6 NOAA Administrator on that.

7           I think long term, drawing these  
8 committees from these committees, to more  
9 proactively, both for setting directions and  
10 also, for evaluating results is something that  
11 we should better look at.

12           Along the way, there is these  
13 issues of resourcing and judgments that are  
14 made. They've very substantial and there's a  
15 lot of avenues to use.

16           But I really think there is some  
17 significant open territory in the evaluation  
18 side, as well as ultimately, to the types of  
19 more proactive approaches to making broader  
20 portions of our budget and policy community  
21 aware of how you see the choices,  
22 independently.

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1                   So, there is a whole array of  
2 things that we can start talking about  
3 internally, and get back to you on that.

4                   CHAIR BILLY: One more, and then I'm  
5 going to let Gary make his presentation. Paul?

6  
7                   MR. CLAMPITT: Mr. Doremus, I'm Paul  
8 Clampitt. I'm a commercial fisherman from the  
9 West Coast, and as you -- I don't know if  
10 you're aware, I'm sure you are, that we're  
11 moving rapidly towards catch share management.

12                   MR. DOREMUS: Absolutely.

13                   MR. CLAMPITT: And on the West  
14 Coast, we're going to bite off the management  
15 of 29 species all at the same time, and you  
16 know, we're concerned, we're going to need  
17 detailed stock assessments on these things, to  
18 be able to pull this off and I guess what I'm  
19 worried about and the people that I'm  
20 constituents with is, you know, how much of  
21 this climate study and climate change studies  
22 are going to possibly draw away from that

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1 immediate information that we need to manage  
2 these resources?

3 And I'm looking down these lists of  
4 improved understanding of ecosystems, and you  
5 know, above everything else, there is this  
6 climate consideration in fisheries and  
7 protected research positions.

8 To me, you know, that is kind of a  
9 long term -- something that happens in the  
10 future and it's quite controversial, in a lot  
11 of ways.

12 So, I'm wondering, you know, how  
13 you -- you know, this is obviously an  
14 important part of NOAA's budget and I'm  
15 wondering how much of that is going to draw  
16 off the immediate needs of the ability to  
17 manage of these catch share programs?

18 MR. DOREMUS: Well, as Gary  
19 indicated, in the prior discussion along these  
20 lines, probably the best way for you to judge  
21 would be to look at what comes out of the 2011  
22 and 2012 budgets, and that's where I think

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1 you'll be able to see at the end of the day,  
2 who all of the highly intermediate processes  
3 and decisions that our budgets go through,  
4 once they move out of our organization and  
5 through executive management legislative  
6 branches.

7 That's probably the best way to  
8 answer your question. I think the ability for  
9 us to look at the FY12 when it comes out, with  
10 you, on this topic, is step number one.

11 I don't think -- again, back to the  
12 earlier point, that the development of climate  
13 service capabilities, at this point, the  
14 organization has not -- and you don't see any  
15 discussion in the plan of saying one goal is  
16 more important than the other.

17 In fact, what we're trying to do is  
18 advance them in ways that serve the interest  
19 of this overall picture of resilient  
20 ecosystems.

21 So, it's being able to, I think,  
22 see the interrelationship between our improved

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1 understanding and ability to characterize the  
2 model and understand the impacts of large  
3 scale processes, whether it's climate driven  
4 or driven by other kinds of natural ecosystem  
5 processes, to understand their impact on the  
6 management choices is, in a way, core  
7 business.

8 Having stock assessments is core  
9 business too, and I don't think you could say  
10 one is inherently better than the other. I  
11 don't see how you could break those two off.

12 So, that's kind of a global,  
13 personal view of the issue, but I think,  
14 ultimately, if you're concerned about resource  
15 trade-offs, the budget is the place to see if  
16 you can prevent that from happening.

17 MR. REISNER: Well, just quickly,  
18 so, yes, we are interested in climate issues,  
19 as it relates to fishery management, things  
20 like sea ice, and what's happening with that  
21 on our, both fished managed species and our  
22 protected species.

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1           Ocean acidification issues, multi-  
2 year, you know, current changes, say, in the  
3 North Pacific or in other places, and trying  
4 to understand how those pressures, those  
5 drivers are affecting our ability to make a  
6 good assessment and reduce -- I mean, that's  
7 really pretty pragmatic about it.

8           I mean, we're not doing it just for  
9 looking at trying to -- so that we can  
10 translate that and put that into our models or  
11 our stock assessment.

12           COURT REPORTER: I'm sorry, I'm  
13 experiencing some technical difficulties.

14           MR. REISNER: So, you know, we have  
15 integration into the system assessment thing,  
16 trying to incorporate other factors into our  
17 decision making process, qualitative and  
18 quantitative, I think, will help us in the  
19 long term.

20           MR. CLAMPITT: That's just our  
21 concern. Now you're going to add climate  
22 change, ocean acidification and all of these

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1 things that nobody really knows how they  
2 affect the certain species.

3 So, that was where my question  
4 comes from, you know, how much effort is going  
5 to be put to that? I mean, I guess I have to  
6 wait to see FY12.

7 MR. DOREMUS: In principle, though,  
8 We're ultimately trying to understand what  
9 Gary was trying to characterize, what is  
10 affecting natural resources in the process,  
11 and how they combine to shape our knowledge of  
12 the implications.

13 It is very complex. So, we're  
14 ultimately centered on, I guess, the bottom  
15 line message, from my vantage point,  
16 ultimately centered on utility for management  
17 applications.

18 So it's, I think at the end,  
19 motivated by the same fundamental objective,  
20 which is to make sure that we're optimizing  
21 our abilities to sustain our resources.

22 CHAIR BILLY: I'm going to use this

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1 as a lead in to Gary, Gary Reisner, the Chief  
2 Financial Officer who is going to brief us on  
3 the 2011 budget status, and perhaps, other  
4 things.

5 MR. REISNER: Okay, so, can I talk -  
6 - I'm just going to talk from up here. Is  
7 that all right?

8 (Off the record comments.)

9 MR. REISNER: Okay, since I'm  
10 holding up lunch here, I'll try to go through  
11 this relatively quickly.

12 You had, at one time, asked for  
13 some information specifically on catch shares,  
14 aquaculture and then, I'm going to talk a  
15 little bit about where we're at, with the  
16 President's budget in '11, and what's  
17 happening on -- in Congress, on the 2011  
18 budget. That will be really short.

19 So, let me start just giving you a  
20 little bit of information our catch share  
21 program. We have in the 2011 budget, a  
22 request of \$36.6 million to implement a

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1 national catch share program. In addition, we  
2 took some money from our various lines in 2010  
3 and moved that into a national catch share  
4 line, about 17 million, and that gave us a  
5 total of about 54 million for identified  
6 monies associated with catch shares. Again,  
7 you know, we're going forward with catch  
8 shares, you know why, they do provide us with  
9 opportunities to improve fisheries management.

10 There have been a number of  
11 fisheries where we have actual examples of  
12 some of those improvements, Halibut/sablefish,  
13 for one, Gulf of Mexico red snapper, and can  
14 show improvements in safety, improvements in  
15 the quality of the landed fish, and  
16 improvements in revenues that derive from  
17 that.

18 The things that we're going to be  
19 doing are specific, at least in 2011, would be  
20 implementing specific fisheries, in addition  
21 to continuing ongoing fisheries. So, we're  
22 providing funds for the West Coast trawl, IFQ.

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1       The Northeast Groundfish Sector Program would  
2       be continued. We have a little bit for the  
3       Mid-Atlantic tilefish, and then the Gulf of  
4       Mexico grouper fishery.

5               We also have some funding for  
6       enforcement, to ensure that we've got our  
7       monitoring, then landings are being reported.

8       A substantial portion of the funds are going  
9       towards at-sea monitoring and dockside  
10      monitoring. We have about 4.5 million for  
11      that, for the Northeast sector. That's in  
12      addition to about 3 million that we've put in  
13      there, in `10, for Northeast sectors. We have  
14      about 2 million in the grouper fishery for  
15      this purpose, and then about 5 million in the  
16      Pacific trawl fishery for monitoring.

17              In addition, we are -- have funding  
18      in there to provide for analysis to evaluate  
19      fisheries that may be suitable for catch share  
20      programs and also to analyze, you know,  
21      getting that performance, are we seeing the  
22      same types of improvements in fisheries

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1 management and resource utilization in catch  
2 share managed fisheries as we've expected to  
3 see?

4           There is funding to provide  
5 additional support for catch share development  
6 around the country. We also have money in  
7 there to try to establish a national appeals  
8 process. In Alaska, they have had a long  
9 standing appeal program for fishermen, and we  
10 are trying to take that model and take it  
11 national, so that other regions, other  
12 programs can use that expertise.

13           This is a break-out of the `11  
14 monies, where we would propose to put that 54  
15 million. In addition, I put a couple of  
16 bullets on there, just so you can see. We had  
17 18.6 associated with the Northeast sector  
18 implementation, last year. We have an ongoing  
19 amount that's about 6 million in `10,  
20 actually, we got that in `09.

21           In FY09, and I want to talk a  
22 little bit later, we had a one-time increase

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1 in funding, associated with Northeast multi-  
2 sector fisheries process, because of a  
3 significant increase in promote and develop  
4 transfers. Those are monies that go into our  
5 SK program, and we'll talk about SK in a  
6 little bit. But so, I wanted to highlight  
7 where the 54 million is going, and we have a  
8 little over 10 million going to the Northeast,  
9 for the actual sector activities.

10 There was 6 million put in the  
11 budget for cooperative research for the  
12 Northeast, also in 2011 budget. That's  
13 actually a continuation from '10.

14 There are a couple of -- so, the  
15 Southwest, Alaska, Pacific Islands, we have  
16 small amounts that are really in there to  
17 sustain LAPP development, if they're going  
18 forward, if there are specific plans in future  
19 years, and we have additional resources. We  
20 would be adding that to those regions, to  
21 provide support.

22 If you look at the set -- the

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1 headquarters number looks large. In fact,  
2 it's the largest one up there. So, I just  
3 want to say what that's made of. There is  
4 about 3.5 million, little over 3.5 million in  
5 LAPP funding that is temporarily allocated  
6 around the country. That money hasn't been  
7 allocated yet, as we go forward in the `11,  
8 that money will go out to the various regions  
9 for their LAPP developments. So, it's  
10 residing in the headquarters line there, now,  
11 but ultimately, it will get into the field.  
12 There is a couple of million dollars in there  
13 for the adjudication process that I had  
14 mentioned. We have a little money in there  
15 for General Counsel in helping review the  
16 rules.

17 We're also establishing, which I  
18 think we were supposed to do a while ago, and  
19 haven't, an electronic reporting and  
20 accounting system for catch shares. So,  
21 that's what those funds are for.

22 Let me spend a couple of minutes on

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1 aquaculture, which is another area that you  
2 wanted to talk specifically about. The 2010  
3 enactment is about 6 million. We have a  
4 requested increase of about 2.4 for a total of  
5 a little over 8 million. We are working  
6 jointly with OAR, and we're trying to address  
7 issues that have been raised in the GAO  
8 report, on aquaculture.

9 There were four areas that they  
10 talked about, essentially. There was the  
11 alternative feeds issue, best management  
12 practices to minimize environmental impacts,  
13 addressing minimizing escaped cultured fish  
14 that could impact wild stock, and disease  
15 management strategy.

16 Amongst the OAR and us, we will be  
17 addressing that. We, in fisheries, are  
18 focusing our money and our activities on the  
19 alternative feeds question. OAR will be using  
20 their funds to address the other components,  
21 and again, looking at alternative feeds, to  
22 reduce forage fish needs in the aquaculture

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1 business.

2 Our approach to this will be a  
3 competitive grants program that we will go out  
4 with. We talk here about our fisheries  
5 finance program. We do use a portion of our  
6 money and do make it available for aquaculture  
7 activities. There have been issues about our  
8 qualifying criteria, for that, and we are  
9 looking at that. We don't have additional  
10 funding in here for that, although we are  
11 trying to address it within our current  
12 funding portfolio.

13 The issue here is, to the degree  
14 that we change our qualifications for loans,  
15 we may need appropriated dollars to cover the  
16 subsidy component of that. Right now, we  
17 don't have any subsidy component to our loans.

18 They're made available to those who qualify.

19 But we're looking at that and working with  
20 DOC on that.

21 Senate mark has 8 million in their  
22 request for aquaculture. It's slightly below

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1 our request level, and I suspect that would  
2 just come out of our internal operating budget  
3 and some of the grants might be lower.

4 With that, I wanted to get to the  
5 current status of the 2011 process. This is  
6 just a graphic, I've shown this a number of  
7 times, and you can see that our request is  
8 about 992 million. The Senate mark is at 1.8  
9 billion.

10 If you notice, there is no House  
11 mark there. We actually don't have a lot of  
12 information on the House mark. Although the  
13 sub-committee marked up the bill before  
14 recess, it never made it to the full  
15 committee, and as -- through their procedures,  
16 they don't release their report and support  
17 tables until after approval of the full  
18 committee, Appropriations Committee.

19 So, while we know that, for  
20 example, there is like 905 million for our  
21 operating budget, we don't have a lot of  
22 information, exactly how that's allocated

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1 amongst our components, whether it's protected  
2 resources or fisheries management. So, I  
3 haven't included that here.

4 One of the issues will be when  
5 Congress comes back, they're going to have to  
6 address this. How far they get, I don't know.

7 Most of the issues that come up in the  
8 Commerce, just this science bill, and policy  
9 issues that either impede its process and  
10 progress and enactment, are usually policy  
11 issues unrelated to us, whether it's  
12 Guantanamo or issues in the FBI and other  
13 components that foul up that bill, not our  
14 issues, but it keeps us from not having  
15 information right now, on what's going on.

16 This is just a summary of our  
17 budget by our major activities, protected  
18 resources, fisheries research and management,  
19 enforcement, and you can see, we have -- just  
20 looking at -- and I mentioned the 992 million,  
21 we're actually 15 or 16 million below the  
22 enacted level, if you did the math there.

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1                   We have a request for Pacific  
2 Coastal Salmon Recovery Fund of 65 million,  
3 and while that's a 15 million increase over  
4 our last year's request, it's a 15 million  
5 decrease from the enacted amount, which is 80  
6 million right now, and in fact, the Senate has  
7 80 million in their mark too.

8                   One thing about the Senate mark  
9 there, which shows 1.8 billion as their level,  
10 they have a separate component in their mark  
11 for earmark, and so, there is 30 million in  
12 earmarks that we are working with --  
13 approximately 30 million that we have  
14 identified, that we believe are fisheries  
15 responsible earmarks.

16                   We are working with the Department  
17 to get that list finalized. The activities  
18 that are funded are final in there. Who is  
19 responsible for it, whether it's OAR or NOS,  
20 sometimes, isn't clear. But we are estimating  
21 about 30 million.

22                   So, our actual Senate mark is about

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1 1.38 billion, rather than the billion there.

2           Actually, Paul's strategic planning  
3 process is clearer than this stuff, given the  
4 way we're operating, and you can see, I have a  
5 905 million number for the House Sub-Committee  
6 mark. That's really all the information we  
7 have right now.

8           Whether we actually get more  
9 information before ultimate enactment, I don't  
10 know. There have been times in the past where  
11 we didn't get the information until we had an  
12 enacted bill. Whether that happens this year,  
13 I can't tell you.

14           This table tries to take our  
15 specific items that we're requesting and align  
16 it off of the enacted level, and compare it to  
17 the Senate mark. So, you can see, protected  
18 resources, recovery activities, primarily, we  
19 have money in there for consultations and  
20 listing activities. We continue our species  
21 recovery grant program and provide an increase  
22 for that.

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1 Atlantic salmon is really the --  
2 I'm sorry, the salmon were parenthetical of  
3 Atlantic and Pacific, three-million is really  
4 all in the Pacific. It's related to Bay-Delta  
5 CALFED Program, and there is a couple of  
6 million in there for genetic stock  
7 identification research work.

8 In fact, I wonder if I can -- well,  
9 if you look at the Senate mark here, they've  
10 actually cut our Pacific salmon mark, so, that  
11 will -- if that were enacted, it would cut  
12 back on our CALFED activities, which has a  
13 significant program in the Bay-Delta area, and  
14 our genetic stock identification area.

15 For catch share programs, we -- I  
16 mentioned the \$36 million increase that we  
17 have. Again, the Senate has only provided a  
18 \$22 million increase, now, because things are  
19 complicated.

20 We have cooperative research  
21 related to catch shares; it's in our catch  
22 share line. The Senate did not provide that

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1 money in the catch share line, although they  
2 did fund it in the cooperative research line.

3 So, the actual Delta there is about an \$8  
4 million cut, and we will have to determine  
5 where those reductions are going to come.

6 You know, one issue, in fact, we've  
7 been criticized, we had about 5 million for  
8 at-sea monitoring activities in the Pacific  
9 trawl program. We've actually gotten letters  
10 saying, "No, that's too much. It's going to  
11 be less than that."

12 You know, again, as those estimates  
13 come in, that might be an area where we can  
14 get some savings. Other savings will probably  
15 be handled within the headquarters components  
16 of the budget table I showed you before, but  
17 we haven't finalized this.

18 Just going down the list, I  
19 mentioned integrated ecosystem assessments.  
20 That's the \$5 million increase that we have  
21 there, and that was also funded by the Senate.

22 Community-based restoration

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1 programs, this is our habitat program. We  
2 have increases that we are proposing there.  
3 Those are -- primarily, we're trying to get to  
4 larger scale projects, similar to what we were  
5 able to do with the stimulus bill, and that we  
6 have been able to do, as the program was  
7 smaller.

8 The Senate didn't fully fund that,  
9 although as we go and look at the earmarks,  
10 we'll find, I suspect, there are a number of  
11 specific earmarks related to habitat programs.  
12 Bronx River restoration work is one that's  
13 been there for a number of years.

14 Aquaculture, I talked about that.  
15 We have the increase there. Cooperative  
16 research I mentioned, we had put our  
17 cooperative research related to catch shares  
18 into the cooperative -- into the catch share  
19 line, but there is a real decrease of about  
20 \$4.5 million that we had in our request.

21 I don't have -- you know, there is  
22 no specific reason for this, other than higher

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1 priority projects that came in. This is an  
2 area, for example, where we've gotten a lot of  
3 criticism and people talk about the importance  
4 of cooperative research, and so as we go  
5 forward in developing the 2012 budgets, we're  
6 taking that into consideration.

7 Will we fully fund it? I don't know  
8 that, but certainly those letters are being  
9 taken into consideration, and if you look at  
10 the Senate mark, they fully fund that. They  
11 don't give an increase, but it's funded at the  
12 2010 level there.

13 We have \$5 million for Chesapeake  
14 Bay, related to the President's Executive  
15 Order, and in another area where we got a  
16 reduction is, this is a small -- it's a  
17 million dollars. This is actually money -- as  
18 you recall, our La Jolla facility is falling  
19 off the cliff out in Southern California.

20 We were directed, because of safety  
21 concerns, to move out and had significant rent  
22 costs associated with that. This one million

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1 was covering a portion of that.

2 As part of the ARRA, we've got an  
3 increase. We've been able to get money to  
4 build La Jolla, rebuild it, although it won't  
5 be ready until 2012. So we'll have to absorb  
6 this million dollars in our budget.

7 Again, the big number there is the  
8 unrequested funding. This is the earmarks and  
9 increases that were provided in specific  
10 lines, so they're not considered earmarks, but  
11 they're increases.

12 So, for example, we had \$1.5  
13 million for Hawaii seafood inspectors. We had  
14 \$3 million for New England multi-species  
15 survey activities. There was \$9 million for  
16 New England fishery assistance, because of the  
17 rebuilding plan requirements up there. There  
18 was \$4.5 million for Hawaiian sea turtles.  
19 There was \$10 million related to the Mitchell  
20 Island hatcheries in the Columbia River that  
21 we don't have in our request.

22 But the bottom line, our request is

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1 about \$15 million below the enacted 15.8. The  
2 Senate mark is -- shows there, about \$500,000  
3 about the 10 enacted. If you add my estimated  
4 \$30 million for earmarks, they're at \$30  
5 million -- 30 million and a half above the  
6 enacted level. Yes?

7 VICE CHAIR McCARTY: Could you  
8 explain that Pacific Coastal Salmon Recovery  
9 Fund, touch on that? Is that the Columbia  
10 River?

11 MR. REISNER: No, Pacific Coastal  
12 Salmon Recovery Fund is a separate account.  
13 Portions of that money can go to the Columbia  
14 River, but it's all for restoration and  
15 recovery grants that go to the states. It goes  
16 to the West Coast states, Alaska and Idaho and  
17 Nevada are eligible for that funding.

18 It has historically been enacted at  
19 around \$80 million. Last year, we requested  
20 \$50 million. This year, we're requesting \$65  
21 million. So, it's a \$15 million reduction in  
22 the enacted amount.

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1                   VICE CHAIR McCARTY: But it's level  
2 funded for that amount?

3                   MR. REISNER: Yes, Senate has \$80  
4 million for that. To give you just a summary  
5 here, on the Senate mark, I mentioned it's  
6 \$1.8 million, plus the \$30 million. It's \$4  
7 million below our -- \$40 million in total for  
8 catch share programs, which is below our  
9 request, and I mentioned some of that \$14  
10 million reduction is in the cooperative  
11 research line. But there is an \$8 million of  
12 that that we will have to cover.

13                   Pacific salmon, that's our  
14 protected resources, Pacific salmon  
15 activities, and again, there is the \$3 million  
16 that the Senate mark is below our request,  
17 which is essentially, our Bay-Delta and  
18 genetic stock identification activities.

19                   The other thing that the Senate  
20 mark provided was a number of pieces of  
21 language to direct us to do things. There is  
22 some language to provide \$350,000 for red tide

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1 research within our available resources.

2 We have -- the asset forfeiture  
3 fund is a fund that's available to our  
4 enforcement programs. It's made up of fines  
5 and penalties that are paid on enforcement  
6 activities, and because of perceived  
7 irregularities in the fund, they have asked us  
8 to do an audit of that.

9 We completed that audit. We  
10 continue to improve the transparency of how  
11 that funding is used and narrowing the scope  
12 of activities for which it's used, and are  
13 going to be following those procedures, as we  
14 go forward in 2011.

15 There was also language in there  
16 that directed us to do an analysis of  
17 relocating the Gloucester office, to somewhere  
18 in the Mid-Atlantic area, under the assumption  
19 that the Northeast office covers from the  
20 Carolinas up to Maine and that office might be  
21 more centrally located, and we will see what  
22 happens in the final bill, but if this isn't

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1 overturned, we'll do that analysis.

2 It directs NOAA to fully fund stock  
3 assessment surveys for ocean clam and quahog  
4 surveys, using an industry vessel. We have  
5 been in discussions with industry in New  
6 England. Right now, that survey had been  
7 done, I think, every third year, using NOAA  
8 vessels. I think they were looking at doing  
9 the survey annually and doing a third of the  
10 area annually.

11 Those discussions are still  
12 ongoing, and using an industry vessel for  
13 that.

14 The other issue of concern is, the  
15 bill includes an assumption of about \$104  
16 million transfer from the promote and  
17 development fund into ORF. This is an offset,  
18 so they don't have to provide general funds.

19 However, because of the economic  
20 climate and the loss of imports, we only have  
21 \$68 million that we're getting from  
22 agriculture that could support this \$104

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1 million transfer.

2                   So there is a shortfall of \$40 to  
3 \$45 million that either we will have to make  
4 up or Congress will have to make up in the  
5 final bill.

6                   We're working with Congress and our  
7 general counsel, to figure out what we have to  
8 do. If in fact there aren't sufficient funds  
9 to do the full transfer, do we have to make up  
10 that money, or what happens?

11                   But right now, there is a  
12 disconnect between what the Senate mark is  
13 assuming is available and what's actually  
14 available.

15                   And then there is some language  
16 related to the Western Pacific Sustainable  
17 Fisheries Fund and the Western Pacific -- I  
18 can't remember, it's a new RFMO up there in  
19 the Western Pacific, that would allow  
20 territories to lease quota to other U.S.  
21 fishermen and deposit the costs of that into  
22 the Western Pacific Sustainable Fisheries

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1 Fund, but with the expectation then that it  
2 would go back to the territory, but the fund  
3 doesn't have that authority to give it back.

4 So we have concerns about the  
5 direction and the language that we'll be  
6 working with the Senate on.

7 We talked about performance before,  
8 and I wanted to show you our targets for our  
9 various -- this is kind of hard to read. It  
10 is on the website, so it might be easier to  
11 see it there.

12 We have a number of quantitative  
13 performance metrics, probably more, I think,  
14 than any of the other line offices, and in  
15 fact, NOAA -- the Department uses three  
16 fisheries' performance metrics for their high  
17 priority performance goals, HPPG, it's  
18 identified up there.

19 One is the Fish Stock  
20 Sustainability Index, which you're familiar  
21 with. We've talked about this, and you can  
22 see the increases there.

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1                   The other relates to MSA  
2 requirements, as we get towards the deadlines  
3 associated with overfishing fisheries and  
4 having ACLs in place.

5                   So, the first one is to ensure that  
6 all of our fishery management plans have  
7 required catch limits in place, ending  
8 overfishing, and by the end of 2011 now, we  
9 are trying to get all those fishery management  
10 plans with currently identified earmark stocks  
11 in place by the end of 2010, which is the  
12 requirement, calendar year 2010, which happens  
13 to be the first quarter of 2011.

14                   And then obviously, by the end of  
15 2011 -- or the end of calendar year 2011,  
16 which is the first quarter of 2012 -- sorry,  
17 can I fix that with this?

18                   (Pause.)

19                   So, by the first quarter of 2012,  
20 which is the end of calendar year 2011, we  
21 will have all 46 plans presumably in place,  
22 with catch shares, with --

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1 CHAIR BILLY: Catch limits.

2 MR. REISNER: -- catch limits in  
3 place, ACLs. In addition, the next measure  
4 lists -- identifies the actual fisheries that  
5 are currently experiencing earmark, for which  
6 we have had measures in place, and they will  
7 all be in place by the end of fiscal year --  
8 end of the first quarter in 2011.

9 I put this up there because we do  
10 have metrics that we try to meet and  
11 hopefully, these are the metrics that identify  
12 our priority mission objectives, and I guess  
13 to the degree that these aren't really  
14 capturing the activities that you think are  
15 important, it would be worthwhile for you to  
16 provide us with guidance on whether you think  
17 other measures are easier to understand, more  
18 directed at our specific mission, or have a  
19 higher priority than the ones we identify  
20 here.

21 There is no reason, although we try  
22 not to change them too much, there is no

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1 reason that we can't add or subtract to these  
2 measures. In fact, if you look at the bottom  
3 one here, on acres restored, we have been  
4 trying for a couple of years to get within  
5 this number, the acres associated with Pacific  
6 Coastal Salmon Recovery Fund, which is a  
7 substantial number, and we don't have the  
8 numbers yet. This number should go up when we  
9 have it.

10 What we're showing there, the 6  
11 million -- or the 6,900, is the acres  
12 associated with community based restoration  
13 program, primarily.

14 So, that's an area where we were  
15 just counting that number for our habitat  
16 metric, yet we were actually doing more  
17 restoration work through the Pacific Coastal  
18 Salmon Recovery Fund than we were through  
19 community-based restoration, and so we're  
20 trying to capture those acres in our habitat  
21 number, with some fits and starts, and  
22 hopefully we'll get it here shortly.

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1                   So, that's all, Tom, I was going to  
2 mention for now.

3                   CHAIR BILLY: Okay, thank you very  
4 much. Questions? Comments? Yes, Martin?

5                   MR. MARTIN FISHER: Thank you, Mr.  
6 Chairman. Thank you, Gary. A couple of  
7 things, two questions, really.

8                   In terms of the national catch  
9 share program, how much of that money is  
10 earmarked or intended for at-sea observer  
11 coverage, especially in catch share programs  
12 of multi-species, where there is bycatch  
13 issues and one of the stated goals of the FMP  
14 is for bycatch reduction and conservation?  
15 That's the first question.

16                   MR. REISNER: So, out of that \$36  
17 million, there is about \$11 million,  
18 specifically for at-sea monitoring activities.

19                   About \$5 million right now, for Pacific trawl  
20 and there is about \$4.4 for northeast sectors,  
21 and those are the two big ones that have a lot  
22 of bycatch issues.

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1                   There is also money in there, about  
2                   \$5 million, for training of monitors  
3                   associated with those efforts.

4                   MR. MARTIN FISHER: In the Gulf of  
5                   Mexico, not the red snapper, specifically, but  
6                   certainly, now, with grouper here in 2010,  
7                   bycatch is a huge, big deal and I don't see  
8                   any --

9                   MR. REISNER: Well, there is \$2  
10                  million for the grouper. One of the issues  
11                  that we were trying to get at, and I'm not  
12                  sure how successful we've been, frankly, in  
13                  these numbers for at-sea monitoring, was to  
14                  capture just those costs associated with the  
15                  catch share program itself.

16                  So, for example, if you have a lot  
17                  of sea turtle bycatch or other marine mammal  
18                  or other bycatch and you need observer  
19                  coverage, we weren't trying to include that  
20                  cost in here, because it's not really related  
21                  to the catch-share program itself.

22                  I'm not sure we've got that refined

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1 enough to do it exactly, but that was the  
2 intent, to capture just the observer  
3 components related to the catch share  
4 monitoring.

5 MR. MARTIN FISHER: My second  
6 question is not really related to this year's  
7 budget. It's something that I think MAFAC  
8 sent forward as a recommendation out of the  
9 Monterey meeting, to -- and I'm not quite sure  
10 how it was worded, but the point of it was to  
11 get the Senate to revisit the Capital  
12 Construction Fund structure, and I don't  
13 remember that we were ever told that that was  
14 accomplished, if it was accepted.

15 MR. REISNER: The Senate has been  
16 working off and on various pieces of language  
17 that would revise the criteria for that.  
18 Nothing has really come out of committee yet.  
19 So, for now, it's not moving forward.

20 CHAIR BILLY: There have been a  
21 number of bills.

22 MR. REISNER: There have been some

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1 bills introduced, but none of them have --

2 CHAIR BILLY: Passed Congress.

3 MR. REISNER: -- moved.

4 CHAIR BILLY: Other questions?  
5 Comments? Randy?

6 MR. CATES: I have a couple of  
7 questions and comments, and a way to save \$4.5  
8 million, as you stated, it was for Hawaiian  
9 sea turtles, and if we just do the science, we  
10 probably don't need the correction there.

11 Regarding aquaculture, you listed  
12 four topics --

13 MR. REISNER: I'm sorry?

14 MR. CATES: On aquaculture, you  
15 listed four areas of research.

16 MR. REISNER: Right.

17 MR. CATES: Feeds, best management  
18 practice, escapes, what was the fourth?

19 MR. REISNER: Best practices and --

20 MR. CATES: Was it disease?

21 MR. REISNER: Disease management  
22 strategies.

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1 MR. CATES: All right, my comment on  
2 that is, back in, I think it was 2002, the  
3 Undersecretary of Commerce called a summit in  
4 Silver Spring, and there were a bunch of us  
5 that showed up and Commerce was, at the time,  
6 alarmed by the level of imports coming in and  
7 wanted the U.S. industry to increase  
8 production. But what will it take to increase  
9 production?

10 So, we made a list of  
11 recommendations, and there were some  
12 commitments that were made there. MAFAC has  
13 similarly developed off of the 10 year plan,  
14 yet our funding goes towards things that don't  
15 really increase production.

16 An example, feeds research, that is  
17 an issue that the opponents of aquaculture  
18 have raised and so NOAA is funding that,  
19 which, that doesn't really get down to the  
20 farm level of increasing production, in my  
21 opinion.

22 Best management practices is

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1 another issue similar to that. Though it's  
2 important, because these are important issues,  
3 they don't really address increase in  
4 production. Escapes is another one, an  
5 important issue, but yet again, it's not  
6 really developing production, and the same  
7 thing with disease, although disease is  
8 something that will help increase production.

9 My point is, we're putting money  
10 there, but we're -- opponents of aquaculture  
11 are driving the direction of aquaculture and  
12 we're not really going to get anywhere to meet  
13 the 10 year plan, nor are we going to get  
14 anywhere to address the commitment that the  
15 industry made to the Secretary of Commerce to  
16 increase aquaculture, a \$5 billion industry,  
17 if that's who is controlling the direction of  
18 aquaculture.

19 MR. REISNER: I'm not sure I'm going  
20 to answer all of these questions. In fact,  
21 Monica Medina is in a better position.

22 I will tell you that from a budget

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1 perspective, the direction that we've been  
2 going, and is indicated here, is a desire to  
3 try to get some national legislation and  
4 national policy in place that can guide  
5 aquaculture development, and that that, in and  
6 of itself, will help move the industry along.

7 That's where this -- and the  
8 opponents of aquaculture have been able to  
9 stymie that process on the Hill, and it was an  
10 issue that was an issue both in the last  
11 administration and this administration.

12 So, if you look at our budget,  
13 that's what we're trying to address.

14 Again, this is an area that's --  
15 that if MAFAC has an interest in providing  
16 guidance on where we should be focusing our  
17 dollars, we can take that.

18 Where we've gone with it in 2011  
19 and in the past, though, is what I said.

20 MR. CATES: I appreciate the  
21 comments and I think it's an issue that MAFAC  
22 should take up. It is not an issue of

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1 funding. It's how we're using our funding,  
2 and MAFAC hasn't really dive into that yet,  
3 and to Martin's earlier comment, the last  
4 session, we make our recommendations to the  
5 Secretary of Commerce, not necessarily to  
6 NOAA.

7 MR. REISNER: Right, that's correct.

8 MR. CATES: And we need to get back  
9 to that, because Commerce asks the industry to  
10 step up to the plate and I think now, what's  
11 happening is industry should be going back and  
12 saying, "It's time for NOAA to step up to the  
13 plate, to focus back on what your originally  
14 asked us to do," and that is increase  
15 production.

16 MR. REISNER: I agree, and that's  
17 where your recommendation should go to.

18 I would say that these four areas  
19 of research and needs were identified by GAO,  
20 not NOAA. Now, whether they comport with  
21 industry or opponents may be, but they're GAO  
22 recommendations on where to focus research.

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1 CHAIR BILLY: Tell them what GAO is.

2 MR. REISNER: General Accounting  
3 Office -- or General Accountability Office.

4 CHAIR BILLY: It's an arm of  
5 Congress.

6 MR. REISNER: It is an arm of  
7 Congress.

8 CHAIR BILLY: Okay.

9 MR. CATES: One quick follow-up.  
10 Competitive grants, is that the only role or  
11 mechanism for issuing the dollar amount? Are  
12 there other examples that NOAA does, or is it  
13 all just --

14 MR. REISNER: Well, we do internal  
15 research. We have research activities ongoing  
16 in labs on the West Coast and in New England.

17 There is no reason that if we had  
18 specific activities, that we couldn't do  
19 contracts, and those would be competitive, or  
20 we would try to do them competitively.

21 To the degree we're giving or  
22 putting money out externally, we're going to

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1 try to do it competitively. I'm not going to  
2 say we always do in earmarks and guidance from  
3 the Hill competitively, but that's what we try  
4 to do.

5 CHAIR BILLY: Kate, would you like  
6 to add something?

7 MS. NAUGHTEN: Sure. Just a quick  
8 follow-up. I'm Kate Naughten. I work with the  
9 aquaculture program. And just a follow-up to  
10 address Randy's question.

11 One of the other funding mechanisms  
12 is the competitive grants, the National Marine  
13 Aquaculture Initiative that is funded through  
14 Sea Grant. The aquaculture program  
15 participates in those decisions.

16 Several of those grants are  
17 directed at production, either candidate  
18 species or production methods. So, there is -  
19 - I didn't want us to forget about that, in  
20 terms of your discussion here.

21 I understand what you're saying,  
22 but there is some directed at production.

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1 MR. REISNER: And they have about  
2 \$2.7 million in there, in OAR for that?

3 MS. NAUGHTEN: Yes.

4 CHAIR BILLY: Okay, Bill?

5 MR. DEWEY: So, just specific to  
6 that case, you just actually triggered a  
7 memory, in my mind, problematic about the  
8 National Marine Aquaculture Initiative this  
9 past round is that now that that funding is  
10 going through OAR, it's changed provisions, as  
11 far as match on its grants, and it requires 50  
12 percent match, which has really limited the  
13 number of institutions and opportunities to  
14 play in that league, and that's really been  
15 problematic.

16 MR. CATES: The growing concern of  
17 the industry is that competitive grants don't  
18 really feel so competitive, and I have asked  
19 the question, how are they -- how do you come  
20 to your decisions, and who makes those  
21 decisions, and you always hear that industry  
22 has input, but it's never identified what that

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1 industry is, and it's a growing concern.

2 As far as production goes, I can  
3 tell you, you put a grant in on request, to  
4 try to increase production, there's countless  
5 turndowns on it. But you want to go and look  
6 for fish poop or something, go get it. That  
7 doesn't -- we're going nowhere, with  
8 increasing production.

9 CHAIR BILLY: Are there follow-up  
10 actions?

11 MR. HOLLIDAY: I'm listening about  
12 your concern of this transparency of these  
13 grant programs. So is it something that you  
14 want to hear more about, or is it just an  
15 observation or is it --

16 MR. CATES: I think it would be  
17 great talking to NOAA and for MAFAC to hear,  
18 how are these competitive grants administered  
19 in the process?

20 MR. HOLLIDAY: A decision relative  
21 to -- whether or not to -- is it discretionary  
22 to have a matching component to it, or is it

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1 mandatory? Is that something, as part of this  
2 briefing, that you want to have addressed?

3 MR. DEWEY: I'm interested in trying  
4 to understand if there's opportunity to change  
5 that --

6 MR. CATES: That's what I'm saying,  
7 is it --

8 MR. DEWEY: -- and the weight on  
9 the OAR, obligation is 50 percent match, and  
10 that's been a real restriction, this past  
11 round. For a number of institutions that I'm  
12 aware of that wanted to submit proposals, they  
13 couldn't come up with a match, they couldn't  
14 do it.

15 MR. CATES: Right.

16 MR. DEWEY: So, that was  
17 problematic, but also, I think Randy's  
18 question is also valid.

19 I mean, I have a fair amount of  
20 confidence in the peer review of proposals  
21 that come in, in the selection process, but  
22 not necessarily in the transparency of how

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1 those priorities are set, to establish the RFP  
2 that goes out --

3 MR. CATES: In the first place.

4 MR. DEWEY: -- and that's where I  
5 think we could use some more transparency.

6 MR. CATES: You have great, grand  
7 things going on with matching funds, and  
8 they're very successful now, getting the  
9 private sector to kick in their fair share.

10 So I think we should have a review  
11 on how it's done and be open to ideas on how  
12 to make things better.

13 MR. REISNER: I would say that at  
14 least the RFPs that go out will or should be  
15 aligned with the priorities that are  
16 identified in the budget.

17 So, in our case, at least in 2011,  
18 those priorities are going to be alternative  
19 fees, unless the administration decides to  
20 change what they've proposed in the budget,  
21 and I don't know what the priorities are in  
22 OAR, other than my understanding is, they were

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1 looking at the other three research priorities  
2 that were identified in the GAO report.

3 So, that's where you're going to  
4 see the priorities. As far as the selection  
5 process, it is a -- there is a peer review  
6 process made up of a group that ranks,  
7 quantitatively ranks the proposals and then  
8 they're rank-ordered and selected from that.

9 MR. HOLLIDAY: Right, but just for a  
10 point of clarification, the GAO report we're  
11 talking about, that was the one that was  
12 looking specifically at the environmental  
13 effects of aquaculture. I mean, that was  
14 their target, as opposed to developing  
15 aquaculture in the context of a 10 year plan  
16 for developing food security for the nation.

17 So of course, their recommendations  
18 for research, aligned with the environmental  
19 effects, and not -- so, those aren't the only  
20 priorities for the Department of Commerce that  
21 may be considered in a granting program.

22 I think what I'm hearing Randy

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1 suggest is, what's the balance of how to --  
2 how are these priorities identified? Yes, GAO  
3 recommendations have a lot of weight in their  
4 importance, but so do these other objectives  
5 that have been identified by the Department.  
6 What is the process by which we then assign  
7 priorities to the grants, the limited grant  
8 funds that are out there?

9 MR. DEWEY: Couldn't have said it  
10 better, thank you. NOAA has adopted one  
11 aspect of aquaculture and it is kind of, in my  
12 opinion, dropped the part that occurred 10  
13 years ago of, okay, we have a problem in our  
14 country. We're importing all these imports.  
15 We have an opportunity. How do we make it  
16 happen? That part is missing.

17 It was an objective of Commerce.  
18 Where has it gone?

19 MR. HOLLIDAY: Right, and I go back  
20 to the theme I heard Martin talk about this  
21 morning, and I think we inherited that.

22 If the Department has changed its

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1 mind, we at least owe an explanation to the  
2 people, what the rationale was.

3 So, we may not fund everything that  
4 we get recommendations on, but we should  
5 identify how we made our decisions and make  
6 that transparent to people.

7 So if that's not a Department  
8 priority any longer, and it is all about the  
9 environment, how was that decision reached and  
10 what -- so, we all know what the playing field  
11 is for the future, and so, I think that, as a  
12 topic for discussion, you know, illuminating  
13 this for the MAFAC, is something we need to  
14 get back and get people to come and talk to  
15 us.

16 CHAIR BILLY: Cool. All right, Paul?

17 MR. CLAMPITT: I just have a simple  
18 question on this last table that targeted  
19 something and I didn't just quite understand.

20 In looking at percentage of stocks  
21 of protected species with adequate population  
22 estimates, and the targets go down, maybe it's

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1 to understand that table. Why would they go  
2 down?

3 MR. REISNER: So, yes, so, what  
4 happens is, in order to determine whether a  
5 stock is stable or increasing, you have to  
6 have a current stock assessment of those  
7 stocks.

8 We have a five year life on our  
9 assessments. So if an assessment is dated  
10 beyond that, we can't make a determination.  
11 So stocks will come off, if we don't have a  
12 current stock assessment, and over time,  
13 without funding increases or increases at a  
14 stable level, that can go down. It can also  
15 go down because of a new stock assessment that  
16 -- a stock that once was stable is now no  
17 longer stable, but with -- nothing changed,  
18 there's no significant changes in the stock  
19 itself. If the assessment is dated, we would  
20 take it off the list because we could no  
21 longer say whether it was stable or not.

22 CHAIR BILLY: Martin?

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1 MR. MARTIN FISHER: Thank you, Mr.  
2 Chair. I'd like to go back a minute. When I  
3 was talking about bycatch, you mentioned  
4 turtles. I love turtles. May they live long  
5 and prosper.

6 But my bycatch comment wasn't about  
7 all species outside the targeted fishery. My  
8 comment was about in a deepwater fishing in  
9 the Gulf of Mexico, from Brownsville, Texas to  
10 Key West, we target five species of grouper  
11 and two species of tilefish.

12 They range in value anywhere from  
13 90 cents to \$4.50 to the boat. So, with the  
14 bycatch I'm talking about is, if you have  
15 quota for one and not the other, and you catch  
16 the others, that's bycatch, and this is a  
17 conservation issue and for me, it's  
18 disingenuous for there to be a national policy  
19 of catch share, without the appropriate  
20 ability to measure its impact on the  
21 environment, because when you force fishermen  
22 into a catch share program, they are going to

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1 be economically incentivized and they are  
2 going to go for the biggest buck they can get  
3 for their time on the water, and if that means  
4 throwing away 2,000 pounds of this fish,  
5 because they don't have the quota for it or  
6 they can't find it, they can't buy it, they  
7 don't want to, or it's good bait for the  
8 other, that is what's going to happen.

9 MR. REISNER: So, and that's one of  
10 the criteria there -- there is sort of four  
11 criteria that we are trying to evaluate as the  
12 catch shares are put in place. One is  
13 increase revenue, but one is related to  
14 reducing bycatch.

15 So, to the degree that a catch -- a  
16 fishery has bycatch issues, when we put a  
17 catch share system in place, we will evaluate,  
18 has bycatch gone down enough?

19 MR. MARTIN FISHER: Well, how are  
20 you going to know without observer coverage?

21 MR. REISNER: I don't disagree,  
22 that's an issue.

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1 MR. MARTIN FISHER: Okay.

2 MR. REISNER: All right, and that's  
3 an issue, whether we have catch share programs  
4 or not, though, in many fisheries.

5 MR. MARTIN FISHER: True, but there  
6 is more of a -- there is a leverage point that  
7 the catch share conduces into the -- into the  
8 daily life of the fishermen at sea, at least  
9 in my fishery.

10 And again, I'm not just talking  
11 about Madera Beach. I'm talking about the  
12 whole Gulf of Mexico, because that's -- and  
13 once you implement the catch share, you are,  
14 in a sense, forcing the fishermen to do what  
15 is best for them economically, which isn't  
16 necessarily the best for the environment.

17 So, if the agency wants the United  
18 States of America to step up to the catch  
19 share table and participate, then let's find  
20 the funds to make sure that we're doing the  
21 right thing and let's find the funds to make  
22 sure that the stated goals of the policy are

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1 actually being met and enforced, otherwise,  
2 what is really happening?

3 VICE CHAIR McCARTY: In Alaska, the  
4 catch share programs, most of them require the  
5 coverage and consistent in catch share  
6 programs. So, that's one way of doing it.

7 MR. MARTIN FISHER: In our  
8 fisheries, we couldn't afford to pay for it.

9 VICE CHAIR McCARTY: I agree with  
10 you, but it's got to be --

11 MR. MARTIN FISHER: And I'm not  
12 against catch shares, but if you're going to  
13 have them --

14 MR. REISNER: So, the monies that I  
15 talked about, related to at-sea monitoring  
16 associated with the catch share program, we  
17 did put that in there as an incentive to try  
18 to make the transition to catch share program,  
19 with the understanding that as the fishery  
20 rebuilds and revenues, which are expected to  
21 go up, do go up, that that -- those monies  
22 would -- the federal funds will be drawn away

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1 from that and put on another fishery, and that  
2 industry itself would pick up the slack of the  
3 requirements that are in the fishery  
4 management plan, whatever they may be.

5 CHAIR BILLY: Any other comments?  
6 No? Okay, all right, we're going to do a  
7 little further adjusting of the agenda.

8 The next item is going to be  
9 postponed until late tomorrow morning, tied in  
10 with the comments that Eric may have, around  
11 that time period, and so, we'll have 90  
12 minutes for lunch now, and then the two Sub-  
13 Committee meetings will start at 2:30 p.m.,  
14 the Rec Fisheries and the Strategic Planning  
15 Budget Program Management. Heidi?

16 MS. LOVETT: The Rec Fish will meet  
17 in here, and they're going to set up a table  
18 in that room, in the other room.

19 MR. HOLLIDAY: One of the  
20 suggestions for the strategic planning and  
21 budget program management committee, we have  
22 the time with Monica Medina tomorrow morning,

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1 and so, if you wanted to help frame a series  
2 of questions as a group, that you wanted to  
3 get on the table, that might be a more  
4 effective use of time. We could use Tom's  
5 email as the reference from the meeting,  
6 report out from July.

7 But you're free to talk about the  
8 strategic planning and budget reaction to this  
9 morning's presentation, but if you had some  
10 extra time, you might, as a group, think about  
11 some of those issues you want to cover.

12 MS. LOVETT: I was going to ask the  
13 rest of you, because the group would like  
14 that, for the Committee to --

15 CHAIR BILLY: Are there any other  
16 topics that any of you think the strategic  
17 planning/budget program management sub-  
18 committee should address?

19 (Off the record comments.)

20 All right, any other administrative  
21 matters? There's lots of restaurants all  
22 around.

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1 MS. LOVETT: Just for tomorrow  
2 night, we put in a reservation for 20 people  
3 to go to the Rockfish Restaurant. Could I see  
4 a show of hands, in case we need to up that?

5 For tomorrow evening's dinner, who  
6 is going?

7 CHAIR BILLY: All right.

8 (Whereupon, the above-entitled  
9 matter went off the record at 1:00 p.m. and  
10 resumed at 2:35 p.m.)

11 CHAIR BILLY: I just wanted to call  
12 everyone's attention to the fact that the  
13 other Subcommittee on strategic planning,  
14 etcetera, is meeting downstairs. So, if  
15 you're planning to go to that Subcommittee  
16 meeting, it's not next-door. It's downstairs,  
17 and they said it's obvious, where downstairs  
18 is.

19 MS. LOVETT: You go down the stairs,  
20 turn right, walk into the Treaty of Paris  
21 Restaurant and they're the only group in  
22 there.

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1 CHAIR BILLY: There you go. So,  
2 this room, Ken, it's in your able hands.

3 MR. FRANKE: Thank you, Mr.  
4 Chairman. Good afternoon, everybody. First  
5 of all, I opt to make an apology real quick.  
6 Tomorrow I'm going to have to leave early,  
7 because I have to go testify at a hearing.  
8 So, Pam Dana is going to be giving our report  
9 out as a group, to the MAFAC Committee, as a  
10 whole, on Thursday.

11 At this point, did you want to go  
12 first? I think Russ is going to go first.  
13 Russ?

14 MR. DUNN: I can. I didn't know if  
15 you wanted to do a little bit. But --

16 MR. FRANKE: I'm going to do that  
17 right. At this point, I'd like to introduce -  
18 - most of you all know Russell Dunn, who is --  
19 has oversight over recreational sport fishing  
20 activities for NOAA's side. I'd like to turn  
21 it over to Russ.

22 One comment, beforehand. I was

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1 talking with Randy at lunch a little bit,  
2 about some of the work that NOAA has been  
3 doing, and I have to compliment the NOAA  
4 staff.

5 At the recreational working group  
6 level, we asked for input from the different  
7 regions on contact information of the impacted  
8 parties, whether it be clubs, etcetera, in  
9 order to start to get a network going, and  
10 Russ jumped right on it and is definitely  
11 charging forward with implementing what  
12 frankly, was a MAFAC driven request. So,  
13 Russ, good afternoon.

14 MR. DUNN: All right, thanks, Ken.  
15 So, for those of you who I may not know or had  
16 a chance to meet, I'm Russ Dunn and I am the  
17 relatively new National Policy Advisor for  
18 Recreational Fisheries, and I took over for  
19 Gordon, after he stepped down from that role,  
20 and he -- after he organized the Recreational  
21 Summit.

22 So, the last couple of weeks, we

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1 had a meeting with the Recreational Fisheries  
2 Working Group, and some of you were on that,  
3 as well.

4 So, I'm not going to rehash  
5 everything from that conversation. But I  
6 wanted to touch on a couple of issues, one  
7 being, sort of following up on the  
8 Recreational Fishing Summit, touching a little  
9 bit on the tasks that you all were given, or  
10 gave to the Rec Fisheries Working Group, and  
11 some of the advances, I guess you'd call it,  
12 we've had, related to the Deepwater Horizon  
13 event.

14 So, starting off with the Summit  
15 follow up, so, one of the key components  
16 coming out of the Summit was the development  
17 of the action agenda, and as Eric and Dr.  
18 Lubchenco has tried to stress, the intent was  
19 not to have another strategic plan, which  
20 essentially was produced and then shelved and  
21 collected dust on the shelf, and it was to  
22 really have a plan that allowed us to take

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1 concrete actions and identify a real way to  
2 move forward.

3 We are going to release that next  
4 week. Eric is going to release that Tuesday,  
5 and the Recreational Fisheries Working Group  
6 saw that. It went through, was vetted through  
7 them, incorporated their comments.

8 The primary, two primary comments  
9 from the Working Group, were the need to  
10 regionalize the plan, as well as to prioritize  
11 or include timing.

12 So, our response in the plan was to  
13 -- in terms of regionalizing, we simply  
14 committed to doing -- initially, we recognize  
15 the need to do it, but we had -- frankly,  
16 because of staffing issues and what not, and  
17 was we re-did it, we recognized that despite  
18 staffing issues, we need to make  
19 regionalization of the plan a priority,  
20 otherwise it was going to be fairly difficult  
21 to really have an impact in recreational  
22 fishing.

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1           In terms of prioritizing or  
2 including time lines, we didn't include  
3 specific time lines in the final version,  
4 because a lot of it is depending on funding  
5 and things like that.

6           So, it would have been somewhat  
7 setting ourselves for failure, had we done so.

8           What we did is create a new section that we  
9 called `signature issues', and we incorporated  
10 into that section, components which we can  
11 take action on in the near term, and get  
12 tangible results.

13           And so, you all will see the final  
14 of that. It will be released on the 26<sup>th</sup>, and  
15 it will be distributed to MAFAC and the Rec  
16 Working Group and the Council and the  
17 Commission, the participants from the Rec  
18 Fisheries Working Group, it will go up on the  
19 website, you know, all of the groups that you  
20 would anticipate that it would go to.

21           So, I don't know how you want to do  
22 this, Ken. Should I stop? Do you want me to

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1 run through the whole thing, or do you want to  
2 take questions at the end of each section, if  
3 there are any?

4 MR. FRANKE: I'll tell you what, if  
5 it sounds reasonable to you, go ahead through  
6 the whole thing and then we can ask our  
7 questions.

8 MR. DUNN: All right, in terms of  
9 Councils, we've had some positive steps  
10 forward there, in the last few months, since  
11 the Summit. We had -- and the Councils, I'm  
12 referring to the Fisheries Management Council.

13 You know, we got -- when I say  
14 'we', the recreational community got  
15 additional -- an additional seat on the  
16 Atlantic Council. There was an additional  
17 seat in the Gulf of Mexico Council, and I  
18 think even more significant in the long term  
19 was that the input of the position that I  
20 hold, the policy advisory position, was  
21 formalized in the Fishing Management Council  
22 appointment process, and what that means is,

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1 within the protocols of how it moves through  
2 the process, the nominations move through the  
3 process, my position now sits at the table,  
4 when that occurs.

5 So, over the long term, there will  
6 continuously be a recreational -- NOAA  
7 recreational voice for the recreational  
8 community, sitting at the table.

9 So, I think that's very key in the  
10 long term, to maintain the balance on the  
11 Council.

12 At the same time -- or, well, so,  
13 tomorrow, I'm going to be presenting at the  
14 Council Chairman meeting, where Mark is today,  
15 and that's a first, as well. We've never had  
16 sort of a rec specific focus within the  
17 Council training. You know, I have a short  
18 presentation and it is -- it's not as  
19 formalized as we will make it in the future,  
20 because it's a relatively recent occurrence.

21 So, what we have begun to talk  
22 about internally is development of a formal

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1 training component for council training, for  
2 new council members each year.

3 So, that will be a process that  
4 develops over the next year. You all will  
5 certainly have an opportunity to look at that  
6 and see what components you think are  
7 appropriate, in terms of information that new  
8 fisheries management councils should learn of  
9 as they assume their duties.

10 MS. FOY: So, your role is to train  
11 them, about recreational fishing?

12 MR. DUNN: At this point, it is --  
13 so, tomorrow's presentation is essentially to  
14 sensitize them to the fact that the  
15 recreational community is a legitimate  
16 constituency that is broad-based around the  
17 country and deserves appropriate levels of  
18 consideration, as they look at management  
19 measures. So, that's the general focus, and  
20 then it's going to be split between that and  
21 then, looking at some of the MRIP, the  
22 evolution of MRIP and data collection issues.

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1 MS. FOY: All right, so you -- your  
2 portion is recreational, but there would be  
3 other representatives that are going to teach  
4 the new members, or train the new members on  
5 the various aspects of the particulars?

6 MR. DUNN: Oh, I really don't know.  
7 Yes, I'm half an hour out of the three-day  
8 training course, and I --

9 MS. FOY: I'm just taking notes, and  
10 I want to make sure I get it all right.

11 MR. DUNN: Absolutely, and if you're  
12 interested, I can get you the agenda, so you  
13 can see all the components of it.

14 MS. FOY: No worries, no worries.  
15 Thank you.

16 MR. DUNN: Okay, and if you need me  
17 to slow down, let me know.

18 MS. FOY: No, I'm good.

19 MR. DUNN: Let's see, that said,  
20 just last piece on councils. I've been to  
21 most of the councils thus far. I will be --  
22 what, in about three weeks, I'll be at the

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1 Pacific Council, and then in December, I'll be  
2 at the Caribbean Council, and for the sort of  
3 last of the, what I'm calling the 'meet and  
4 greets', just to raise awareness with the  
5 councils, of NOAA's efforts to rebuild and  
6 strengthen the relationship and partnership  
7 with the recreational community.

8 So, in terms of the MAFAC tasking  
9 that came out of the last meeting, to the  
10 Recreational Fisheries Working Group, there  
11 were three components.

12 One was to identify constituents  
13 organizations with whom NOAA should -- or to  
14 whom NOAA should reach out and try and  
15 incorporate into our outreach efforts, and get  
16 input on various issues.

17 Second was to -- for the Rec  
18 Working Group to identify how to -- how  
19 recreational fishermen are getting their  
20 information, and what their methods of  
21 communication are that they look to. Do they  
22 look to the local fishing show, the paper, the

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1 Council, NOAA? Where do they turn for  
2 information? Do they go to local fishing  
3 clubs, etcetera, and finally, what are the  
4 sort of hot topics or issues of concern within  
5 each region?

6 So, what we did to help facilitate  
7 this, because this was a task that was really  
8 given to the Rec Working Group, so, what we  
9 did to facilitate was, we developed, for lack  
10 of a better term, some data collection  
11 templates for those three issues, as well as a  
12 contact sheet, which breaks down the  
13 Recreational Fisheries Working Group members  
14 by region, and as well as -- that also  
15 included the recreational regional  
16 coordinators, by region, and then we went to  
17 those folks and asked them to reach out to the  
18 MAFAC Rec Working Group to sort of initiate  
19 that conversation, to get that relationship  
20 started between the regional recreational  
21 folks and the regional recreational -- and the  
22 MAFAC recreation coordinators that happen to

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1 be in each region, and we asked them to reach  
2 out and sort of prompt or try and extract that  
3 information.

4 That information was, for the most  
5 part, returned back to us and the policy shop  
6 from Mark's office and Heidi, are pulling that  
7 together. I thought we were going to have  
8 that for Ken and you all today, but  
9 apparently, a number of the contact sheets  
10 came in relatively recently, so, they didn't  
11 have time to compile it all into one document.

12 But you should see that, or Ken should see  
13 that, in the next -- in a short period of  
14 time.

15 Let's see, so, Deepwater Horizon.  
16 So, this touches on -- Deepwater Horizon sort  
17 of spurred or provided the opportunity to make  
18 some advantage in a few areas, data collection  
19 being one. So, I just wanted to touch on some  
20 of these. I guess this would be the silver  
21 lining, in terms of the event.

22 So, back in the late spring/early

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1 summer, and I'm not sure if this -- I can't  
2 remember the timing, if this occurred prior to  
3 the Juneau meeting. NOAA was able to identify  
4 and get out the door, \$700,000 to essentially  
5 quadruple data collection and as well as,  
6 shorten the turnaround time for the release of  
7 data from the Gulf of Mexico for-hire survey,  
8 and in terms of shortening up the release  
9 time, it went from eight weeks down to one  
10 week.

11 So, the payoff for that was it  
12 assisted in having the data in hand for  
13 reopening the Gulf red snapper fishery on  
14 October 1<sup>st</sup> of this year. So, we saw some  
15 tangible benefits coming out of this effort,  
16 to ramp up data collection, and that was done  
17 so that we could help monitor the facts of the  
18 spill on the fisheries -- on the recreational  
19 fishing community, and it's paid off.

20 In terms of cooperative research  
21 with the recreational community, during the  
22 Deepwater Horizon crisis, we contracted with

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1 19 recreational for-hire vessels to collect  
2 samples for us. There were about 45 different  
3 species that were sampled. The vessels, we  
4 had vessels from Mississippi, Alabama and  
5 Louisiana, and they collected samples from the  
6 West Coast -- off the West Coast of Florida  
7 and off of Western Louisiana, and they -- now  
8 that it has been capped, obviously, those  
9 vessels are continuing to sample four  
10 fisheries, for monitoring purposes. So, we --

11 VICE CHAIR MCCARTY: How were those  
12 vessels found and selected?

13 MR. DUNN: I don't know the answer  
14 to that question. The Science Center, the  
15 Fisheries Science Center did the selection. I  
16 don't know how they were. I can find that out  
17 for you.

18 VICE CHAIR MCCARTY: And how many  
19 were there?

20 MR. RANDY FISHER: Nineteen. There  
21 were two contracts that were left, and those  
22 two contracts covered those 19 vessels.

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1           We also -- from funding that was  
2 provided by Congress in the supplemental,  
3 there were two other components which will, in  
4 the long term, I think, help boost  
5 recreational issue.

6           First is the \$10 million for Gulf  
7 of Mexico's stock assessments that was  
8 provided, and that will affect, obviously, not  
9 only recreational, but commercial, as well,  
10 and then finally, there was \$15 million that  
11 was identified for a strategic marketing  
12 effort, for both commercial and recreational  
13 fisheries, as well as a seafood safety  
14 assurance program.

15           So, those monies were pushed out  
16 the door, right around October 1<sup>st</sup>, to the Gulf  
17 States Commission, and they will be running  
18 those efforts and then passing that money onto  
19 the contract.

20           Finally, for barotrauma, we are  
21 very -- another important facet of the action  
22 agenda, which is coming out on Tuesday, was --

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1 associated with cooperative research, was the  
2 issue of barotrauma, and this is an issue that  
3 clearly, is -- affects a number of different  
4 stocks, in different places.

5           So, we are very close to being able  
6 to talk publically about efforts to convene a  
7 workshop, a bi-coastal workshop, looking at  
8 essentially, Pacific Coast rockfish, complex,  
9 as well as snapper and grouper in the  
10 Southeast and Gulf of Mexico.           That,  
11 Eric is going to talk about, I believe on  
12 Tuesday, as well as, release that on Tuesday,  
13 as well, in conjunction with the action  
14 agenda.

15           So, I'll have some information on  
16 that for you in the next week or so. But  
17 there isn't anything I see, at this point,  
18 that's going to get in the way of that. So,  
19 it is a positive thing.

20           The purpose of that is to  
21 essentially, identify the state of knowledge,  
22 with regard to barotrauma issues, and then to

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1 ultimately identify a set of sort of best  
2 practices, that can be messaged and then  
3 publically used in the public outreach  
4 campaign, for anglers and however else.  
5 Potentially, councils could -- to take  
6 advantage of the best practices and  
7 incorporate those into regulations, if they  
8 felt it was appropriate.

9 That is really it, for me, at this  
10 point. In the coming up, I think what I see,  
11 we'll be focusing on items within the action  
12 agenda, planning for this barotrauma workshop  
13 and working on the council training modules in  
14 the near term. There's a lot of other things,  
15 but those are the -- what really comes to  
16 mind.

17 MR. FRANKE: Okay, thank you,  
18 Russell.

19 MR. DUNN: Sure.

20 MR. FRANKE: I have one comment, and  
21 then we can open it up for questions.

22 One thing, just for everybody's

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1       edification, when we were talking to the  
2       regional stakeholder -- working group, there  
3       was a lot of emphasis placed on making sure  
4       that we didn't miss any area, as such.

5                There was some discussion regarding  
6       possibly expanding some of the membership of  
7       the working group, to make sure that we have  
8       covered all of those holes, and they'll be  
9       coming back to this subcommittee with any  
10       recommended names in the future.

11               One comment I've got to make,  
12       compliment again, to Russell. We kind of gave  
13       him a mission, and that was the over-arching  
14       goal of establishing direct communication with  
15       the impacted parties. You guys are doing a  
16       good job of that and I'll encourage that to  
17       keep continuing, and as we met -- as we talked  
18       a little bit earlier, if you can -- as a  
19       milestone, possibly, establish a networking  
20       mechanism, constant contact, what have you, to  
21       start that process, to directly contact with  
22       all those user groups, and I had personally

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1 one, recommendation I'd like to just, you  
2 know, float to you, is recommend to give  
3 responsibility of networking to the regional  
4 groups, make it be the responsibility of the  
5 regional coordinator, so that you, from  
6 Washington, aren't giving out the, you know,  
7 the networking assignments, as such, but the  
8 people in that region are.

9 That way, I think we could improve  
10 the two-way communication and then, from a  
11 management standpoint, I might recommend a due  
12 date of when each regional coordinator should  
13 have those networking initial contacts  
14 accomplished and then for the future, keep an  
15 estimate of costs, so that it can be  
16 incorporated into your annual budget down the  
17 road, to continue that work.

18 At that point, I'd like to open it  
19 up to any questions. Pam?

20 DR. DANA: Your recommendation is to  
21 give responsibility to the regional  
22 recreational coordinators --

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1 MR. FRANKE: Right.

2 DR. DANA: -- and make them  
3 responsible for networking?

4 MR. FRANKE: To establish contact  
5 with those local groups, to their region.

6 MR. DUNN: So, the regional  
7 recreational coordinator staff, assuming --

8 MR. FRANKE: Right.

9 MR. DUNN: -- anyone who implements  
10 --

11 MR. FRANKE: In other words --

12 DR. DANA: And who is that?

13 MR. DUNN: That would be -- there  
14 will be a series of 22 staff, in each region,  
15 22, they are spread around each region in  
16 science centers within fisheries service, and  
17 they are staffers who -- it's not their  
18 primary responsibility, but an additional  
19 responsibility that was identified for them,  
20 at the close of last year.

21 And so, those staff are --  
22 essentially, they're to assist me and the

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1 agency in efforts with the recreational  
2 community.

3 So, this would be sort of a perfect  
4 fit for that body, or that body of  
5 individuals, because they're the localized  
6 region -- these are the folks who reached to  
7 the MAFAC Rec Working Group members and said,  
8 "Give us your contact information for your --  
9 for the groups that NOAA should be in touch  
10 with. Give us a way -- the mechanisms of how  
11 those folks coordinate."

12 So, those folks have already begun  
13 to be involved with that information, but this  
14 would be the next step, in terms of, they  
15 then, through some mechanism, whether it's  
16 constant in contact or what not, develop the  
17 sort of network list, and then we can feed it  
18 into the larger database.

19 DR. DANA: Okay, so, the regional  
20 liaisons will work with the Marine Fishery  
21 Service --

22 MR. DUNN: Yes, and --

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1 DR. DANA: -- and then they reach  
2 out to stakeholders on the ground, 'Joe  
3 Fisherman' from --

4 MR. DUNN: Right, okay.

5 MR. FRANKE: I know on the West  
6 Coast, we've -- we're working on it right now,  
7 and we'll get it to you soon, Russ. We're  
8 data mining every fishing club and  
9 organization on our coast, and we'll submit  
10 that data to you, with all the email contacts,  
11 etcetera.

12 So, we're just going to have to  
13 continue to encourage the rest of the working  
14 group, to do the same type of work in their  
15 area, but I think that key piece is to get  
16 your local guy connected to them.

17 MR. DUNN: And that, being a  
18 struggle, I mean, just look at it on the  
19 table, it is a struggle within the Fishery  
20 Service, that we are still trying to figure  
21 out how to deal with it.

22 As I said, this is -- these aren't

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1 dedicated staff and they have a lot of other  
2 responsibilities, and so, trying to get their  
3 attention on what amounts to an add-on issue,  
4 is a challenge, when their plate is full.

5 I'll give you one example. In one  
6 of the regions, they lost four staffers  
7 recently, in their sustainable fisheries  
8 division. Well, one of those four staffers  
9 was our regional recreational coordinator,  
10 this is up in Alaska.

11 So, it is exceedingly difficult to  
12 get the attention of those folks who are still  
13 in the region, because they're overloaded,  
14 currently with all this additional work. It's  
15 something we're still working on internally,  
16 to try and resolve.

17 MR. FRANKE: I think, I'd just like  
18 to put it out there, that we know everybody is  
19 overworked, and I'm thinking using technology,  
20 you know, like constant contact, which you  
21 know, the business world is jumping on right  
22 now, because it's a simple mechanism that a

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1 regional coordinator, for instance, could send  
2 out a newsletter and informational snippets,  
3 to all of their organized groups, maybe once a  
4 year, have a two-hour meeting with -- and  
5 invite them all to some centrally located  
6 place, just have one brief face-to-face, but  
7 then they've got a point of contact, so that  
8 they can call, if there is something of  
9 concern. Now, you're connected up to the  
10 local regional issues.

11 MR. DUNN: Great, thanks. Go ahead.

12 DR. CHATWIN: Well, thanks for that.

13 I was interested in hearing about the  
14 improvement and information flow of the  
15 Deepwater Horizon spill --

16 MR. DUNN: Yes.

17 DR. CHATWIN: -- and so, that  
18 \$700,000, did that change -- did the help fix  
19 some of the structural issues, or was that  
20 sort of a -- more like a one-time, let's get a  
21 lot of information quickly?

22 MR. DUNN: My understanding is that

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1 it's not a one-time, and Gordon may know more  
2 about this than me, that it's not a one-time,  
3 that it enabled the -- a survey to staff-up,  
4 in order to, I guess, quadruple the sampling  
5 from 10 percent up to 40 percent, and then  
6 reduce the time it took to release it, and I'm  
7 not sure how that was then -- I assume, it was  
8 additional bodies.

9 But my understanding is, it's not a  
10 one-time shot.

11 DR. CHATWIN: Okay.

12 MR. DUNN: To have additional bodies  
13 to process the data, but I'm not sure.

14 MR. COLVIN: The \$700,000 was  
15 essentially moved through the Gulf States when  
16 the fisheries commissions, FIN Program, to our  
17 state partners in Florida, Alabama and  
18 Mississippi and Louisiana.

19 In those states, the states are  
20 extensively involved in conducting the  
21 telephone surveys for the -- for what we refer  
22 to as the for-hire survey.

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1           In the Gulf, and now on the  
2 Atlantic Coast, the for-hire survey is done in  
3 two parts. One part involves making weekly  
4 contact with the selected captains,  
5 essentially, those that come up in the sample,  
6 to get their trip information, and then the  
7 second part is the same as the underlying  
8 MRFSS, in terms of access point angler  
9 intercept surveys, to get catch information.

10           The \$700,000 funded an expansion of  
11 the telephone component, of the angler weekly  
12 captain contact component of the for-hire  
13 survey in the Gulf, to increase the number of  
14 samples by four times, from what it was, times  
15 four.

16           The idea was that in so doing,  
17 because we do contact them weekly, it's not  
18 like the two month sample wait you have for  
19 the MRFSS, it's a weekly contact, but by the -  
20 - at the old level of frequency, you can't  
21 generate statistically meaningful trip  
22 estimates on a weekly basis, and it just

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1 wasn't enough data.

2           But by multiplying it times four,  
3 we can. So, that idea was that that increase  
4 will enable us to get pretty statistically,  
5 reasonably statistically precise estimates of  
6 fishing trips on a weekly, and track that  
7 through the entire period, for which this  
8 expanded sampling is going to occur, which is  
9 targeted at a year, and after that, we'll have  
10 to see about continued funding.

11           So, we're able to get a much  
12 clearer picture on a real-time basis, or  
13 weekly basis, of the number of trips and how  
14 that compares to other years, in which there  
15 wasn't an oil spill, which was a good part of  
16 why we did it, and it also enabled -- it was  
17 also -- enabled us to get a sense, generally,  
18 of how the effort trend the Summer compared to  
19 other years, in the context of decisions on  
20 whether or not to, for example, close the  
21 amberjack fishery or reopen the red snapper  
22 fishery, and this was one of the data sets

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1 that was used in those decision making  
2 processes. There were clearly others, but it  
3 was very useful in that regard.

4 Looking forward, of course, there's  
5 a real question as to whether we're even going  
6 to continue the for-hire survey in the Gulf,  
7 because the interest in the region is in  
8 replacing it with a trip report, essentially a  
9 log-on program, which I'll get into, in my  
10 presentation.

11 But it may become academic, looking  
12 forward.

13 DR. CHATWIN: If I could just -- the  
14 reason that incident -- we, at NFWF, we have  
15 an active request for proposals on the street,  
16 for our recovery fund, and proposals for  
17 recreational fishing projects that include  
18 trying to -- the money can't go to the Feds or  
19 I don't think either, to the States, but if  
20 there are recreational fishing groups that  
21 want to try a pilot that could help address  
22 some of the structural issues related to data

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1 flow, those would be eligible to apply for  
2 these funds.

3 So, I just think it's something --  
4 the deadline for that is November 1<sup>st</sup>, so,  
5 we're keen to get some projects in, and it's  
6 not just for recreational fishing, but  
7 recreational fishing is one of the eligible --

8 MR. DUNN: So, if I can follow up.  
9 One of the questions you asked me -- so,  
10 Gordon, do you know how the release time was  
11 shortened up for that data, the analysis,  
12 because it had gone from bi-monthly weighs,  
13 down to weekly.

14 Do you know how that was expedited?

15 What I was saying was, I was guessing that  
16 additional bodies were there to help crunch  
17 numbers, but do you have any idea how that --

18 MR. COLVIN: Yes, here is -- the  
19 thing is, the way the states do it, they rely  
20 -- of course, they have to make the phone  
21 calls, and contact captains according to the  
22 standards protocol, but they also -- all to

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1 states are also involved in doing the  
2 intercept survey.

3 So, they have -- their survey staff  
4 is out on the docks, all year long, and one of  
5 the things they needed to do was a lot of  
6 follow up with captains on the -- you know, at  
7 the marina and docks and boat ramps, to you  
8 know, kind of explain what was going on to  
9 them and work with them in a more hand-ons  
10 way.

11 But by and large, what they needed  
12 to do was put more time into making phone  
13 calls, because they had to make four times as  
14 many, and I think they may have had to take on  
15 some temporary or seasonal kind of staff help,  
16 to handle that extra load.

17 That's what they were saying that  
18 they were going to do at the outset, and I  
19 haven't heard exactly how they ended up  
20 handling the workload.

21 MR. FRANKE: Thank you, Gordon. Any  
22 other questions? Tom?

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1           MR. RAFTICAN: Just a couple of  
2 things. One, it's interesting for us, the  
3 process that you've got going, orienting new  
4 Council members, especially recreational  
5 fishermen, to the Council process.

6           I ran into a guy, Jim Williams, who  
7 has put together an actual program, and this  
8 is centered in New England, where he goes out  
9 and basically, teaches commercial fishermen  
10 about the Council process, and I think they  
11 meet six times or something like, and they go  
12 through -- and he's done this, I believe for  
13 about eight years, a couple of times a year.  
14 He said he's got about 400 people through it.

15           What it does is, it builds an  
16 educated base on how the councils work, and  
17 the requirements that they need, and so, you  
18 know, instead of just going, "Hey, we've got a  
19 solution to this," they've got some type of an  
20 idea of what the requirements need -- you  
21 know, before you simply just throw information  
22 or data out there.

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1           We had kind of talked loosely,  
2           about doing something like this for  
3           recreational fishermen, and this isn't -- the  
4           for-hire, but simply for rec anglers on the  
5           grand scale, and it just seemed to make an  
6           incredible amount of sense.       It makes  
7           everybody's job a lot easier, if you raise the  
8           educational background of a number of people.

9           It would fit really nicely in with the things  
10          that you're doing in the regional basis, and  
11          it would give a good touch-tone for folks,  
12          that, hey, look, here is what it is, and all  
13          of the sudden, instead of -- often times, when  
14          you talk to somebody, it looks like you're  
15          talking down, it looks like you're talking  
16          with an agenda.   It becomes peer-to-peer.   It  
17          really would make an incredible amount of  
18          sense, in today's world with the different  
19          ways you can utilize the internet, it might  
20          not be that difficult to do, even on a fairly  
21          wide basis, you know, just to -- but something  
22          to put out there, and there is, at least,

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1 somewhat of a template already out there.

2 MR. DUNN: So, I think that makes a  
3 lot of sense and we've had some passing  
4 conversations of the need to familiarize the  
5 greater portion of the recreational fishery  
6 with the Council process, and recognize that  
7 there have been attempts to do that in the  
8 past.

9 But now, are you suggesting that --  
10 so, say, we develop a module to do that, then  
11 that other constituents do that, or that NMFS  
12 goes out and does that, or who would actually  
13 implement --

14 MR. RAFTICAN: I think NMFS should  
15 probably contract with somebody and maybe, I  
16 don't know, Tony, does this fit into anything?

17 I know that you've got a posing window on a  
18 grant right there, for educational purposes.  
19 Isn't that what you were -- would this be  
20 something that might fit in there?

21 I think the broader the  
22 partnerships, the better. I do think it's

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1 necessary to come down out of -- you know,  
2 basically, from NOAA, to have that stamp on  
3 it, at least. Now, whether you're the ones  
4 that actually conduct it -- as I said this  
5 other fellow Jim -- I'm just searching back  
6 here for his name, I found him a couple of  
7 weeks ago, said he was doing something like  
8 that right now, in concert with you folks, and  
9 it was out of the New England Council.

10 But you know, I'll get you the  
11 information on that, and it just seemed a way  
12 to just kind of bring everybody up on the same  
13 page, and raise the whole level of discussion  
14 on virtually, everything you do.

15 MR. FRANKE: Thank you, Tom. Any  
16 other questions? Tom?

17 MR. RAFTICAN: Yes, on different  
18 non-related, I think that's great about the  
19 barotrauma workshop. You know, a lot of the  
20 stuff that actually had been done out on the  
21 West Coast, and some of the stuff, really can  
22 make an incredible amount of sense to the

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1 folks in the Gulf of Mexico, and being able to  
2 get East and West together on this stuff,  
3 really, would be awesome.

4 We've done some work on it, on a --  
5 my organization has done a little bit of work  
6 on it, and we would love to get involved and  
7 see what we can do, just to help out. So,  
8 please, keep us informed.

9 MR. DUNN: Yes, it hasn't really  
10 gone -- I mean, the money is actually going  
11 through the shop, and the idea is that we  
12 would have this workshop sometime next year.  
13 That would bring together researchers from  
14 both coasts, and we'd at least pull together  
15 initial lists of appropriate NMFS states and  
16 academic researchers, you know, who are  
17 experts in the field, as well as recreational  
18 fishermen and a handful of sort of policy  
19 guides, to come together and figure out, okay,  
20 you know, how can we look at this? What  
21 universal messages are there, if there is  
22 time?

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1                   We haven't planned out the  
2 workshop, but possibly, either a way to look  
3 at some species specific, and then message it  
4 and get it out there. We're partnering -- we  
5 want to partner with like, RBFF and what not,  
6 you know.

7                   MR. RAFTICAN: Make sure you include  
8 Chris Lowe on that list, out at Cal State Long  
9 Beach. He's done an extensive amount of work  
10 on this stuff, he and his students, and also,  
11 we've done actually, a video on one of the re-  
12 compression devices and you know, we'd love to  
13 help you on this to create a solution.

14                   MR. DUNN: Okay.

15                   MR. FRANKE: And I'd like to add to  
16 what Tom said, Russ.

17                   This is a great indicator -- or a  
18 great example of where, if you network, we can  
19 get solutions out there.

20                   Our fleet participated with Sea  
21 World and they have two hyper-baric chambers  
22 and did you know, a year's worth of study,

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1 decompressing fish, and so, there is a quite a  
2 bit of research work that's already been done.

3 MR. DUNN: Yes, and part of the  
4 charge of the workshop, or the -- will be to  
5 do a full literature review prior, so that  
6 they can walk into the workshop, the  
7 participants can walk in, and fully understand  
8 what the latest technology is, and then sort  
9 of go from there. Hopefully, all of that will  
10 be documented.

11 MR. FRANKE: Thank you, Russ. Any  
12 other questions for Russ? All right, thank  
13 you, everybody. I'd like to turn it over to  
14 Gordon, for the MRIP presentation.

15 MR. COLVIN: Thanks, Ken. You know,  
16 as the members of the Subcommittee know, we  
17 had the webinar a couple of weeks ago, to lay  
18 out in more detail than probably anybody  
19 really wanted to know, the overall  
20 organization process and status of MRIP, and  
21 I'm not going to go back into any of that  
22 today.

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1           But what I thought that I might do  
2           is give you a pretty thorough review of what's  
3           upcoming, what are the MRIP actions and  
4           activities you can expect to hear about in the  
5           next few months and perhaps, to be asked to  
6           provide some input on looking forward, and to  
7           give you a little bit of a sample of some of  
8           our new outreach methodology, if the  
9           technology will permit it this afternoon.

10           So, I want to start with the slide  
11           that's up there. I understand that the  
12           material is in your briefing books, and you  
13           may find particularly, the second slide easier  
14           to read there, than on the screen, it's pretty  
15           busy. But let me walk through this and take a  
16           few minutes, kind of step by step here.

17           The first thing I wanted to mention  
18           is that as of September 1<sup>st</sup>, and I alluded to  
19           this earlier, in response to the question that  
20           Tony asked, the pilot project, which will be a  
21           one-year pilot project on the use of a trip  
22           report in the party shark boats in the Gulf of

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1 Mexico, with an associated protocol for  
2 dockside validation has begun.

3 Now, that pilot is operating in  
4 three ports. It's operating out of the Port  
5 Aransas area in Texas, and Destin and Panama  
6 City, Florida, and the idea here is to  
7 ascertain whether there -- our experience with  
8 operating this pilot will support a broader  
9 implementation of a for-hire trip reporting  
10 approach in the Gulf.

11 The Gulf Council is very anxious to  
12 move the mandatory trip reporting, at least  
13 for Federal permit holders, as soon as  
14 possible and in fact, they would like to do it  
15 even earlier than this pilot will end. We're  
16 hoping that we'll have some preliminary  
17 results along the way to share with the  
18 Council, to get a sense of how that is  
19 working.

20 One thing I'd like to mention about  
21 this project, there was a lot of discussion  
22 when it first started up, about the value of

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1 proceeding when we did, in light of the spill  
2 closures, and I think experience has brought  
3 out the fact that it was, despite the problems  
4 associated with the closures, it was still  
5 appropriate to get started when we did.

6 By September, a lot of the fishing  
7 areas were beginning to reopen and of course,  
8 the Texas guys were never really affected, and  
9 I think we've gotten to the point now where  
10 we're getting pretty good data, coming in, and  
11 a lot of the vessels that had been out of  
12 fishing, because they were in the vessels of  
13 opportunity and other programs, are coming  
14 back and fishing now, with the red snapper  
15 opening and so forth.

16 So, the reports we're hearing are  
17 that we're getting data in and participation  
18 in the program is building. So, that's an  
19 important one to watch, because it will have  
20 relevance in other regions, as well, as we  
21 begin to consider the prospect for moving to  
22 logbook-based reporting in the other regions.

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1                   In this particular one, the Gulf  
2 Council's staffs consultant built a couple of  
3 different ways for the boats to report, so,  
4 they can report either -- they can report  
5 electronically, or if necessary, they can  
6 report by mail. But the preference is to try  
7 steer them into the electronic reporting, and  
8 there is -- they can either access a form on  
9 the internet and fill out on the internet  
10 remotely, or they can download the form, fill  
11 it out and fax, mail or email it in, and I  
12 think by now, they should have a couple of  
13 different smartphone options to use, in  
14 addition to just using a laptop.

15                   So, hopefully, that will work out  
16 for just about everybody there.

17                   I was able to attend a couple of  
18 the captain's meetings at the beginning of the  
19 project and listen to what folks were saying  
20 and share that with you, and questions, if  
21 you're interested.

22                   The second thing I want you to be

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1 aware of is that our operations team will be  
2 meeting in the second week of November, in  
3 Charleston, South Carolina. This is their  
4 annual priority setting meeting, where they  
5 will identify priorities for project funding  
6 and outline kind of their research and survey  
7 program development agenda for the FY11 budget  
8 year.

9 So, after that meeting, there will  
10 be important new information coming out, about  
11 what the operations team is thinking of for  
12 kind of the next round of project funding and  
13 survey method development, and that will be an  
14 interesting thing, an important thing for  
15 everybody to catch up and to be aware of.

16 Also, in November, our Executive  
17 Steering Committee will be meeting. I think  
18 that meeting is actually set for the 4<sup>th</sup> of  
19 November. There will be a bunch of things  
20 discussed then and of course, Vince, Randy and  
21 Larry are all on that committee, and Ken is  
22 also helping out by serving on the committee,

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1 as Bob had previously.

2 So, one of the key things that will  
3 be on the agenda for that meeting will be the  
4 ESC's review of the implementation plan  
5 update.

6 We did our first --

7 DR. DANA: What's ESC?

8 MR. COLVIN: Executive Steering  
9 Committee. The first implementation plan was  
10 done in September 2008, when we committed to  
11 revisiting and updating it annually, and so,  
12 that update will be done in November.

13 The second slide that I'll show in  
14 a few minutes, is a new flow-chart kind of  
15 product that we incorporated into the new  
16 update, to give a better -- hopefully, a  
17 better visual picture of how a lot of our  
18 projects are moving in the direction of  
19 implementation, a little more clearly than we  
20 were able to in the past.

21 We're probably going to be asking  
22 some of you, and some of the members of the

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1 Rec Fish Working Group for some input on that  
2 plan, as we get a little closer to being done,  
3 and some reaction to it, once it is done, in  
4 terms of its usefulness and its  
5 informativeness to you.

6 Also, kind of a similar domain, the  
7 Magnuson-Stevens Act requires us to provide  
8 Congress with a report on implementation of  
9 the rec data improvement program that was  
10 created in the Magnuson-Stevens  
11 Reauthorization Act. That's due, essentially,  
12 48 months from enactment, which is January  
13 2012, and we're working on that.

14 The implementation plan itself will  
15 have the bulk of the progress report  
16 substantive content in it, and there's kind of  
17 a point by point tracking of our progress in  
18 addressing each of the specific elements of  
19 the Section 401(g) of Magnuson that creates  
20 this program.

21 The next item is one I want to take  
22 a few minutes on, because this is one where I

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1 think we're going to start getting involved  
2 with some of the work group members.

3 One of the most important, but  
4 least well understood findings of the National  
5 Research Councils' review of recreational  
6 methods, that started this whole thing off,  
7 was their criticisms of the MRP's estimation  
8 and intercept survey design.

9 That panel of experts essentially  
10 found that the methods we use to compute  
11 estimates of recreational catch were  
12 statistically mis-matched with the sample  
13 design, intercept survey sample design. They  
14 were not appropriately matched and should not  
15 be used together.

16 They also had criticisms of the  
17 intercept survey design itself, and I'm going  
18 to address -- that's going to get addressed,  
19 hopefully, in the video that you're going to  
20 see in a few minutes, but it kind of -- an  
21 over-simplified way of looking at it is this.

22 In the past, the intercept staff

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1 were given primary assignments that were  
2 statistically derived on where they should go  
3 in a given day to collect data, but they were  
4 also given flexibility, if there was little  
5 fishing activity going on at that location, to  
6 go elsewhere, to sites which within limits,  
7 they were allowed to choose for themselves,  
8 and the duration of their assignments, or the  
9 time that they had to spend at their primary  
10 site, before they would give up and go  
11 elsewhere, was also something that was kind of  
12 up -- left up to them.

13           Essentially, these guidelines were  
14 fairly workable in the field, in a climate  
15 that said, "We want to get data." So, send  
16 them where there's data to be gotten, really  
17 didn't work out well when evaluated by a  
18 statistician, who said, "No, no, no, you have  
19 to sample your population that you're  
20 sampling, in a manner that's statistically  
21 appropriate in design to the nature of the  
22 sample population."

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1           So, there are two things underway  
2 that address this, and they were from the get-  
3 go, the -- kind of the highest priority of  
4 initiatives under MRIP, as recommended by the  
5 operations team and the expert consultants  
6 that we've worked with.

7           The first was to develop a new  
8 estimation method to be used with the current  
9 and recent historic sample design, that would  
10 appropriately match the data that we collected  
11 in the field, to an estimation method that  
12 generates statistically correct estimates.

13           That project, and this gets really  
14 down in the weeds, of the statistics and the  
15 map of all of this, and I can't explain it, I  
16 can't begin to explain it, and my -- what I've  
17 said to people is that the best way I can  
18 summarize what it means is that the equations  
19 we use to compute catch amount, take up about  
20 a quarter of a page, when projected on a  
21 screen. The new ones will fill the page.

22           So, it's a new way of doing things

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1 and it's a hard thing, that's going to be  
2 really challenging for us to effectively  
3 communicate to the stakeholders and the user  
4 community about why this is important and what  
5 it all means, but that's a challenge we have  
6 to take, because on top of everything else,  
7 it's the first thing that MRIP is wrapping up  
8 and putting into place.

9 The new method has been completed.

10 It is in peer review now. We have three  
11 independent peer reviews being conducted on  
12 it. They should be completed immediately,  
13 perhaps, as early as this week, and once those  
14 peer reviews are done, unless there is some  
15 need to go back and revisit some of the  
16 project teams work, which we doubt, the next  
17 steps in the process will be number one, begin  
18 to use this new estimation method for data  
19 collected beginning January 2011, and number  
20 two, we want to apply this method to the data  
21 that we did collect for the Atlantic and Gulf  
22 Coasts and Puerto Rico, from 2003 until 2011,

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1 to generate corrected estimates, based on the  
2 application of this new method.

3 We can't go back before 2003, right  
4 away, because there was a change in the way  
5 the intercept survey was done that became  
6 effective in 2003, and we will need to do a  
7 little bit more work, to further revise the  
8 estimation method, to get back to an earlier  
9 time slice, if we need it.

10 Now, we haven't done the re-  
11 estimates, but the team that worked on the  
12 project has made a few test cases, as you can  
13 well imagine, and by and large, what they see  
14 in the limited applications of the method that  
15 they've run, is that estimates, when revised,  
16 do not change direction in a uniform way.

17 Some of them are higher. Some of  
18 them are lower. Some of them are not too  
19 different, and they vary a good deal, wave to  
20 wave, or time period to time period, and state  
21 to state.

22 They do not -- we do not feel that

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1 in the long run, there will be major changes  
2 in the catch estimates by state, by year, by  
3 species, but we will see, once we do all of  
4 that work.

5 What does occur, however, because  
6 of the fact of the underlying math that I  
7 don't understand, is that the proportion of  
8 standard errors will increase, and that gives  
9 us another challenge, in the communication of  
10 all of this, that we anticipate a higher PLC,  
11 around the more accurate estimates.

12 Now, that's part one. Now, part  
13 two of this, which we'll talk about more when  
14 we see the video, is the fact that we have  
15 also -- the same team has also come up with a  
16 new intercept survey design that corrects the  
17 problems that led to the potential bias in the  
18 current method, and provides a much more  
19 specific and detailed schedule for assigning  
20 access point intercept surveys to avoid that  
21 potential for bias, and hopefully, it will --  
22 you can hear the video, when you see it later,

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1 that will be clear, how we're trying to  
2 explain that.

3 That's a little easier, frankly, to  
4 explain, than the re-estimation method.  
5 Randy?

6 MR. RANDY FISHER: Gordon, it just  
7 seems a little bit odd to me, in one sense,  
8 because what you're doing is, you're proving  
9 what was done before was wrong and everybody  
10 suspected it was anyway, and now, we're  
11 supposed to have better faith in what you're  
12 going to do again with the same thing.

13 I mean, it just seems a little bit  
14 -- how are you going prove -- how are you  
15 going to make anybody comfortable in the  
16 future, with this?

17 MR. COLVIN: Well, it's going to be  
18 a challenge, and I think you'll see some of  
19 what we're -- the message, at least, in the  
20 video, Randy, but the bottom line here is  
21 that, if you look at how this was developed,  
22 it wasn't the result of, you know, three or

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1 four guys on the 12<sup>th</sup> floor of Building 3 on  
2 East-West Highway, coming up with a method.

3 We worked with a consultant team  
4 that consists of supremely well qualified  
5 individuals, a couple of whom were on the NRC  
6 panel, in fact, to come up with a method that  
7 is even then, being subjected further to  
8 independent peer review, and if -- so, when we  
9 amended, we cooked up, and I think that's a  
10 big part of it.

11 The other issue is that unlike the  
12 original design, this is being done in an  
13 atmosphere of transparency, not -- we're not,  
14 again, confining this discussion to ourselves.

15 It is a discussion that needs to include, and  
16 has included, our partners and our customers,  
17 as well as our stakeholders.

18 MR. RANDY FISHER: Okay.

19 MR. COLVIN: There isn't an awful  
20 lot else we can do. I mean, it's -- and this  
21 is a tough one, and I need to emphasize it,  
22 because another thing that we do want to do

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1 is, and we've been talking a lot about this,  
2 how are we going to roll this out, and we are  
3 working on a roll-out strategy, a part of  
4 which will involve trying to reach out to a  
5 group of, I think we're going to call them  
6 observers, I don't know if that's the right  
7 word or not, but folks that we identify from  
8 our customer community and from the  
9 stakeholder groups, and that will include, I  
10 think, probably some of the Rec Fish Working  
11 Group members, to ask them to be --  
12 essentially, to get with us, to be fully  
13 briefed on this process and to observe it, as  
14 we move it out the door, and to give us their  
15 advice and reaction and hopefully, to be  
16 ultimately, to some extent, ambassadors for  
17 the process moving forward, as well as, you  
18 know, if possible, as well. That's kind of  
19 what we have in mind.

20 MR. RANDY FISHER: Well, one other  
21 related question, then. Would things be worse  
22 or better, in terms of the people that were

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1 fishing during that period of time, given what  
2 you know now?

3 MR. COLVIN: Chances are, again, on  
4 this limited thing that they've done is that  
5 they wouldn't have been all that much  
6 different, is that we don't see these big  
7 changes in the -- you might see a big change  
8 in a way, but you don't see it in years.

9 Now, that said, we haven't run all  
10 the species in all the stages. It's just our  
11 luck that something like, you know, red  
12 snapper in Alabama will pop up weird, but you  
13 never know.

14 MR. RANDY FISHER: I guess one other  
15 question is, well, do you have to go back and  
16 do the time casting? I mean, is somebody  
17 forcing you to do this, or what?

18 MR. COLVIN: And that's a question  
19 we've actually -- we've actually had two  
20 different takes on that, in the internal  
21 discussions.

22 The stock assessment people want us

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1 to do it. But they want us to go all the way  
2 back. They want us to -- you know, they don't  
3 want to wait. We're going to use the new  
4 method, beginning in 2011, which we need to  
5 do, for a lot of reasons. They need us to use  
6 it for earlier years, as well, if we can, but  
7 they would prefer going back into the -- you  
8 know, well into the 90s, if we can, and right  
9 now, we can't do that.

10 The other thing, it should be  
11 evident too, we've said all along, going right  
12 back to our original implementation plan, that  
13 the overall game plan for MRIP is to keep  
14 tackling each one of these problems and  
15 issues, in sequence, and as we develop a  
16 solution, to apply it, to implement it, which  
17 means that if we go back and adjust numbers  
18 based on this re-estimation method, we aren't  
19 done.

20 Suppose that, for instance, we're  
21 doing studies of -- that tries to understand  
22 and measure bias, if there is any, in the

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1 estimates, based on the fact that we don't  
2 sample private access sites, folks that are  
3 studying it out in California, we're studying  
4 it in North Carolina and Florida.

5 If we decide ultimately, if we  
6 determine through these studies that, in fact,  
7 there is predictable bias in our sample  
8 design, we may need to measure that bias, and  
9 apply that in a post priority way, I don't  
10 know. We just don't know. We will know, when  
11 we get there.

12 Similarly, we're going to go to  
13 registry based effort surveys, and it may --  
14 the guys that are doing the pilot projects  
15 now, where they're using registry based  
16 surveys, will be reporting out later this  
17 year, or next year, later this fiscal year, on  
18 results of those pilots, and they may or may  
19 not identify consistent measurable differences  
20 in trip estimates, based on the application of  
21 different methods.

22 I don't know that they will, but

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1 they might, and there again, that could become  
2 the basis to revisit some stuff.

3 So, one of the things that's likely  
4 to be true here is that the historic estimates  
5 of fishing catch may be a little bit plastic  
6 for a while, until we get all of this behind  
7 us, and it's going to take a few years, but  
8 that is something that we knew, beginning when  
9 we adopted the current implementation plan in  
10 2008.

11 I think that's it, for now, on the  
12 re-estimation. Let me move onto the  
13 timeliness project.

14 One of the other big issues that's  
15 come up, and particularly, with some of the  
16 stakeholder groups and their concerns about  
17 the manner in which annual catch limits and  
18 accountability will ultimately affect  
19 recreational fisheries, is that -- is the  
20 question of how quickly, or how timely, we  
21 receive preliminary estimates of recreational  
22 catch, after the catch occurs.

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1           There is a strong desire to get  
2 catch estimates more quickly than we do, in  
3 order to enable in-season management  
4 intervention, whether it's limited closures or  
5 slow-downs, partial closures or catch  
6 restrictions, to prevent exceeding a catch  
7 limit in a given year.

8           Based on that concern, we agreed  
9 last year to institute a new project to assess  
10 different methods for improving the timeliness  
11 of our ability to generate recreational catch  
12 estimates, as well as to apply the data we had  
13 for in-season projections and estimations, to  
14 look at how those -- the trade-offs between  
15 those methods and -- among them and between  
16 them in the current methods, and to assess all  
17 of that in a timeliness project, ultimately,  
18 leading to a workshop, to which we would be  
19 inviting customers, partners and stakeholders  
20 that would try to wrap all of that up.

21           Now, at the same time and on a  
22 parallel track, several of the rec fish and

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1 environmental NGOs were looking at that same  
2 question from their perspective, and they  
3 received foundation of grant funding from a  
4 private foundation, and paneled something that  
5 they refer to as a Blue Ribbon Panel,  
6 primarily consisting of university people,  
7 although not entirely, and that panel convened  
8 this summer and has been working on getting a  
9 final report together.

10           Once they got them together, they  
11 actually expanded the scope of that work a  
12 little bit, to include some other rec data  
13 questions beyond timeliness, but timeliness  
14 was what started it all.

15           We've worked with those groups to  
16 coordinate that whole Blue Ribbon timeliness  
17 effort with our timeliness project, so that  
18 they're -- when the Blue Ribbon Panel report  
19 comes out, which also should be imminent, in  
20 fact, we expected it by now, its conclusions  
21 will be among those that are evaluated and on  
22 the agenda for our workshop and some of their

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1 Blue Ribbon Panel members will be involved.

2 So, right now, that project is  
3 moving forward and we're pretty much on track  
4 to have our workshop in the second quarter of  
5 FY11. We're looking right now, probably at  
6 January or February, and most of the folks are  
7 saying somewhere probably February, in the  
8 Tampa Bay area is the current thinking, but  
9 we'll see how that goes.

10 What's been good about that  
11 project, to me, is the coordination between  
12 what MRIP is doing with its timeliness project  
13 and the planning for its workshop and the  
14 underlying analyses, and the independent  
15 effort by, you know, essentially ASA, CCA,  
16 Pew, and Environmental Defense, to do the Blue  
17 Ribbon process, and getting everybody  
18 together, working together in a way that is  
19 coordinated and not competitive.

20 DR. DANA: What's the Blue Ribbon?  
21 I mean, what are they supposed to look at?

22 MR. COLVIN: Well --

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1 DR. DANA: Is this the same thing  
2 that they were talking about last year?

3 MR. COLVIN: Oh, yes. Yes, they  
4 started by looking at timeliness, but they  
5 added several different categories that have  
6 been -- they were also looking at methods to  
7 better account for estimates of released fish  
8 and released fish in totality, methods -- just  
9 overall stuff to improve accuracy and  
10 precision which is kind of the fundamental  
11 stuff, and angler participation in data  
12 collection.

13 That may well be a process that  
14 could very well link, if they want to follow  
15 up on the findings of the Blue Ribbon Panel  
16 work, with some additional project funding.  
17 They might well turn to you. I would think  
18 that is a possibility.

19 In fact, I think I might have heard  
20 that mentioned, some of those -- in meetings,  
21 where those --

22 Okay, so, the other question

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1 everybody keeps asking is, so, when are things  
2 going to begin to change, and I think I  
3 already described the pending change on the  
4 estimation method. The expectation is that  
5 once we get kind of taken by surprise in peer  
6 review, that we'll begin to use the new  
7 estimation method for the beginning of the  
8 calendar 2011 data collections.

9 The change in the intercept survey  
10 design, the one on the bottom, is being  
11 piloted in North Carolina, now, and the video  
12 that I want to show is about the North  
13 Carolina pilot.

14 That pilot is scheduled to wrap up  
15 this spring, and again, assuming that the  
16 results of the pilot continue to show, as we  
17 think they are, that this method is workable  
18 in the field. It can be applied in the field  
19 and it can produce good efforts.

20 We have no questions about the  
21 statistical design of it. The only real issue  
22 is, can you make it work in the field, because

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1 you really are telling your intercept people,  
2 go here, stay this long and when you're done,  
3 you can go there, but you can't go anywhere  
4 else, and that kind of stuff. We have to make  
5 sure that actually works.

6 So, once that pilot is done and  
7 evaluated, the notion is that we will begin to  
8 actually implement it in the survey  
9 collections, moving forward, beginning next  
10 year.

11 Then the registry stuff, we're  
12 essentially building the registries now, and  
13 most of that will be by input of state data,  
14 for those states that are submitting registry  
15 data to us, for telephone and potentially,  
16 mail surveys, and once we have enough -- an  
17 individual point where the survey experts feel  
18 we've got a big enough body of prospective  
19 people in a given state's register, we can  
20 start moving to a dual frame registry based  
21 effort survey next year.

22 Now, all of that kind of leads up

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1 to this next incredibly busy slide, which --  
2 this will be easier, probably to look at, you  
3 know, on your handouts.

4 But one of the things that we've  
5 been trying to come up with is a better way of  
6 depicting the flow of work in MRIP, from where  
7 we started, with the conduct of assessments of  
8 current methods, evaluation of current  
9 methods, projects and studies to develop and  
10 pilot new methods and improved methods, to  
11 decisions on implementation.

12 And so, this is our first effort  
13 that addresses three of the highest  
14 priorities, but not all of the subject areas  
15 for MRIP work, and the catch survey designs is  
16 the one that I've been talking about, the one  
17 up here, which unfortunately, would turn out  
18 to be the one in yellow, that is hardest to  
19 read, but just kind of highlighting.

20 We started with a comprehensive  
21 assessment evaluation and documentation of  
22 survey methods for collecting catch data

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1 nationwide, and that was a big job, but that  
2 was done early on, and then led to a couple of  
3 parallel -- things on a parallel track.

4 The first was the convening of the  
5 expert consultants to develop the enhanced and  
6 statistically appropriate estimation method  
7 for the MRFSS program, and then secondly, to  
8 develop an improved sampling design for the  
9 access point angler intercept survey.

10 Now, this work, in each of these  
11 boxes, initially focused on the MRFSS  
12 methodology, but where it -- then one of our  
13 next steps is to expand this same evaluation  
14 teams' work to include some of the other  
15 surveys that ate around the country, beginning  
16 with Oregon and Washington, and eventually,  
17 expecting that we will get expert  
18 recommendations on whether there should be  
19 parallel improvements in sampling and  
20 estimation methods in the relevant components  
21 of their surveys.

22 But the -- then our next step,

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1 after completing the method, will be to  
2 implement the method, beginning in 2011, for  
3 the estimation work, and then the sampling  
4 design, a little later in 2011, running into  
5 2012, and then, you know, kind of the same  
6 process is followed -- I'm not going to walk  
7 all through it, for both the registry based  
8 survey components and the for-hire logbook  
9 components here.

10 The other thing I'll mention on the  
11 -- the for-hire logbook is, this is kind of  
12 truncated because we really only focused here  
13 on the Gulf of Mexico program and it was the  
14 same sort of a process as I showed you before.

15 We started out by documenting all  
16 of the methods in detail for for-hire surveys  
17 nationwide, and then we had a team of  
18 independent experts come in, and do a very  
19 comprehensive review of those methodologies  
20 and they recommended a suite of best practices  
21 for for-hire surveys nationwide, as well as  
22 specific improvement recommendations for each

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1 individual survey that they had reviewed.

2           So, we're -- and they did recommend  
3 trying to move in the direction of electronic  
4 trip reporting with validation, although they  
5 also recognized that a sample survey would be  
6 workable, with some changes in improvements  
7 that they had also identified.

8           So, the decision was made to do  
9 that pilot development in the Gulf, but we are  
10 also doing some work in some other regions to  
11 address some of these review recommendations,  
12 including stuff that fell off the bottom here,  
13 like in Hawaii, where we're trying to  
14 substantiate, upgrade and improve what's going  
15 there, and there's also some work being done  
16 in Puerto Rico, and eventually, the other  
17 regions, as well, will be part of that same  
18 process.

19           So, this is a product that we're  
20 coming up with, hopefully. I'd be interested  
21 in your reactions now or later, in terms of  
22 its usefulness and informativeness to you. It

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1 is something new and we're hopeful that it's a  
2 more effective communication tool.

3 So, that's it on updates. Now, the  
4 thing that I want to show you is a new  
5 outreach product that's been developed, that  
6 accompanies the North Carolina pilot project  
7 on the revised access point intercept survey  
8 design.

9 One of the things in briefing Eric  
10 Schwaab, a couple of months ago, that Eric  
11 asked us to do is, you know -- he recognized  
12 that we've got all this work underway,  
13 something like 30 projects funded over the  
14 first three years of the program, but that  
15 there wasn't a lot of external and stakeholder  
16 awareness of the details and the depth of that  
17 work.

18 And so, he asked us to try to ramp  
19 up some of our outreach on the studies that  
20 we're doing, and so, we're involved in that.

21 One of the new things is this -- of  
22 this video approach, that we have, for the

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1 North Carolina projects that I'd like to show  
2 you, and I think I've laid the ground work for  
3 it and explained to you, how it came about.

4 Now, here is the problem, the  
5 problem is that apparently, we don't have  
6 speakers for this laptop. So, the only sound  
7 is going to be coming out of the laptop  
8 itself. Heidi told me that she did put a link  
9 to the video, somewhere in the meeting  
10 materials, and then, unfortunately, she's  
11 gone. I'm not sure where it is.

12 So, you can actually play it off  
13 your own laptop, if that's easier. But I'm  
14 going to try to bring it up and play it, and  
15 the Committee members might want to get  
16 themselves closer to this machine, so that  
17 they can hear it. We tested it before. It's  
18 not real loud.

19 MR. DUNN: Do you have sub-titles?  
20 The other one is all out, out of sub-titles.

21 MR. COLVIN: What?

22 MR. DUNN: The other ones all seem

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1 to have sub-titles. Do you know if this one  
2 does?

3 MR. COLVIN: I'll tell you in a  
4 minute. It's MRIPTV-Bias-short. That's the  
5 title.

6 (Whereupon, the above-entitled  
7 matter went off the record at 3:50 p.m. while  
8 a video was played, and resumed at 4:00 p.m.)

9 MR. COLVIN: So, you're the first  
10 audience that has seen this, outside of us,  
11 so, just actually, that got finished this  
12 week, and we have some ideas about where we  
13 want to go with it, and it certainly on the  
14 website, the MRIP website, along with the  
15 other videos that we already have up there,  
16 which I think you've probably seen. This is  
17 at least the third or fourth, and we'll be  
18 working with North Carolina, to try to get it  
19 broadcast locally.

20 The folks at North Carolina Marine  
21 Fisheries, when we first came to them with  
22 this idea, were a little apprehensive about

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1 it, but after they saw the finished product,  
2 they are extremely enthusiastic about it. In  
3 fact, Doug Mumpert, who runs the surveys for  
4 North Carolina Marine Fisheries, spoke of it,  
5 in terms of the most effective public outreach  
6 tool for his work he'd ever seen. He was  
7 very, very, very enthusiastic about it, and we  
8 were very gratified with Doug's reaction,  
9 because at the outset, we had to drag him into  
10 this, kicking and screaming.

11 So, we have some ideas about how to  
12 expand access to it, and try to get links to -  
13 - at the outset, when we first put it up to  
14 the NMFS home page, to Dr. Lubchenco's  
15 Facebook page, and some other things, and to  
16 try to get our -- maybe some of the states,  
17 not just North Carolina, some of the states  
18 have their own TV feeds through local cable,  
19 try to see if we can access some of those.  
20 Any thoughts you all would have, and any  
21 reaction you have to the video, would be very  
22 helpful to us.

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1           But this is one of the tools that  
2 we are looking to use, to try to get more  
3 information out there about the projects that  
4 we're doing, and to -- you know, again, this  
5 was a little simpler than the re-estimation,  
6 but still, you're talking to people about  
7 statistics and surveys.

8           MR. RAFTICAN: Do you have it on CD?  
9 I doubt it would take too much to do that.

10          MR. COLVIN: It doesn't. I was  
11 surprised, it's not even all that big of a  
12 file.

13          MR. RAFTICAN: No, it wouldn't be  
14 that big of a file and I do a little  
15 television show and I would be happy to run it  
16 on that, but I'm sure there are others that  
17 would do the same thing. You can get someone  
18 who -- those regular lines, television anglers  
19 shows, you know --

20          MR. COLVIN: Well, that's the idea,  
21 access to local cable, yes. Yes, that's a  
22 great idea.

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1 (Off the record comments.)

2 MR. O'SHEA: Inside joke, folks.

3 MR. FRANKE: Anything else, Gordon?

4 MR. COLVIN: No, that's it.

5 MS. LOVETT: I'd like to open it up  
6 to questions. Any additional questions?  
7 Going once?

8 (Off the record comments.)

9 MR. COLVIN: Catch is the one we  
10 tried to run.

11 MR. DUNN: Yes, you guys did a good  
12 job. So, when I still at HMS, one of the  
13 things we put together, actually, with North  
14 Carolina, as well, was a circle-hook rigging  
15 video, and we made about, I want to say about  
16 10,000 or 12,000 copies of that and  
17 distributed it out within HMS, through  
18 tournaments and what not, and it did not cost  
19 much, because we had a little internal disk  
20 copier and whenever we had nothing else to do,  
21 we just threw some on and went back and did  
22 email. We can get it out to a pretty broad

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1 audience.

2 I think we could compile all of the  
3 MRIP-TV videos onto one, send them out,  
4 because there is a whole series that builds on  
5 each other.

6 MR. COLVIN: Yes, there is four of  
7 them all together. One of them is a little  
8 bit longer, and that's the self-training video  
9 that just went out a few weeks ago, a couple  
10 of weeks ago. In fact, I'm not even sure it  
11 was up yet, when we had the webinar, but it is  
12 now.

13 But yes, they're all collectively -  
14 - and moving in that direction, you know, I  
15 also want to want to credit Scott Ward. Scott  
16 is our consultant who works with Forbes on the  
17 -- all of the outreach and he's very, very  
18 good at writing and explaining stuff, and he  
19 largely wrote the script for the video, and we  
20 had fun having the dialogue between Scott and  
21 the statisticians, about -- the statisticians  
22 are so very anal about how they want things

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1 said, and then not everything, the way they  
2 want it said, is going to resonate well with  
3 the public. So, they had a bit of back and  
4 forth. But I think it came out really good.

5 MR. FRANKE: Vince, did you have  
6 something?

7 MR. O'SHEA: Yes, I did.

8 MR. FRANKE: Go ahead.

9 MR. O'SHEA: Thank you, Ken. I  
10 guess I wanted to just reinforce the notion of  
11 the care and the time and the thought that  
12 you're putting into this roll-out thing.

13 If you remember, recall a  
14 conference call that we had, now, it's -- it  
15 seems like it was 18 months ago, about should  
16 we do it next week type thing, and we said,  
17 "Hold on, if this is," -- if we're going to  
18 walk through -- you're going to walk through  
19 this door once, and if you don't get it right,  
20 you're going to spend 10 years trying to fix  
21 it, and I --

22 MR. DUNN: Re-estimation

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1 methodology.

2 MR. O'SHEA: Well, the whole deal,  
3 you know, because everybody is going to be --  
4 there are so many stakeholders in this thing,  
5 they're all going to be grasping for either  
6 things they want to hear or they don't want to  
7 hear, and they're going to be cherry-picking  
8 the announcement and, where is it? Is it --  
9 are the stock assessments changing next week?

10 Are the quotas changing next month? Are  
11 state by state quotas going up or going back?

12 All this stuff that's going to be  
13 swirling around, and, you know, I think there  
14 is some expectations, also up there, that a  
15 lot of the world is going to change, and it's  
16 not, reality.

17 So, controlling expectations,  
18 getting the delivered message -- I used the  
19 term focus group, you know, you said, you  
20 know, a trial group, advisory group, I think  
21 that makes a whole lot of sense, but I think  
22 delivering the package, quite frankly, is

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1 going to be as important as to what's inside  
2 the package, and I'm just encouraging you to  
3 keep investing in that.

4 MR. COLVIN: I would ask the same  
5 question of Larry, if he was here, is -- you  
6 know, we do want to make sure that we include  
7 the primary partners and the end users in  
8 this, whatever you call it, focus group or  
9 whatever.

10 We're trying to comprise that group  
11 right now. Do you think it should be -- is it  
12 sufficient to work with Commission staff, or  
13 should we be trying to get some of the states  
14 involved?

15 MR. O'SHEA: No, I would -- I mean,  
16 I think put yourself back to -- you know, back  
17 up to -- up there again, people in Long Island  
18 had a problem with MRFSS data, they didn't  
19 call NOAA, they called you, and I think the  
20 state directors have a good finger on the  
21 pulse of the complaints and noise that they're  
22 hearing because where the rubber hits the road

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1 is when they go out and do their public  
2 hearing, saying, "This is how your regulations  
3 are going to change," based on MRFSS data.

4 MR. COLVIN: The down side of that  
5 being, of course, as you and I both know, that  
6 means 15 of them, because of the --

7 MR. O'SHEA: Well, I mean, I can't -  
8 -

9 MR. COLVIN: For something like  
10 this.

11 MR. O'SHEA: Well, if you want, I'll  
12 -- well, you know --

13 MR. COLVIN: It's something we need  
14 to talk about.

15 MR. O'SHEA: I mean, I'd start out  
16 inviting 15 and see if you get them.

17 MR. RANDY FISHER: Yes, well, I  
18 think that's the point, if you don't spend the  
19 time, you're going to spend it the other way  
20 around, because then they're going to go,  
21 "Here we go again, a bunch of BS that's, you  
22 know, we don't believe," and that's going to

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1 be the problem.

2 MR. O'SHEA: I mean, I think the  
3 guys that needs to be selling this, it's like  
4 NOAA should be the third tier sales people in  
5 this, I really do. I think the managers, the  
6 state manager guys ought to be selling it, the  
7 scientists need to be selling it and I think  
8 the responsible -- whatever the word is,  
9 industry, organized -- I don't want to -- you  
10 know, let's just say Rip Cunningham, who sits  
11 on -- you know, he writes in Salt Water  
12 magazine, he sits on the Council, people that  
13 are moving in that direction, those -- and  
14 then so, way down in there is NOAA, you know,  
15 but in terms of me, it would seem -- I'd  
16 rather have a Tom Raftican telling me, as a  
17 fisherman, that this is a better deal, than no  
18 disrespect, Russ, but -- right? I mean,  
19 that's my gut feeling.

20 MR. RAFTICAN: And that's what I was  
21 saying before about, you know, basically, the  
22 peer review, and recreational fishermen, and

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1 we bring up -- you know, there is a buy-in.

2 MR. O'SHEA: Yes.

3 MS. DOERR: I was just wondering if  
4 you happen to know off hand, how the states  
5 are doing with saltwater licenses?

6 MR. COLVIN: Yes, I do. Everybody  
7 is going to be onboard in January, except New  
8 Jersey, Hawaii, Puerto Rico and the Virgin  
9 Islands.

10 MS. DOERR: I'm shocked.

11 MR. FRANKE: Any other questions for  
12 Gordon? Thank you very much, Gordon, for the  
13 presentation.

14 Do we have any new business that  
15 anybody would like to bring up?

16 (No response.)

17 MR. FRANKE: Okay, thank you for  
18 that. Is there any further discussion on any  
19 of the materials that we talked about today?

20 MR. DUNN: I've got stuff that -- if  
21 you're closing out, there is a couple of  
22 things I want to raise, but if you're not --

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1                   MR.     FRANKE:     This     is     the  
2     opportunity, yes, we have about 15 minutes.

3                   MR.     DUNN:     Okay, now, one of the  
4     things I thought that we had touched on the  
5     other day, during the calls, I don't know how  
6     well you can hear me with the noise behind  
7     you, there, is the need to discuss renewal of  
8     the Rec Fish Working Group, as well as  
9     potentially, assuming that there is an  
10    interest in recommending continuing that, is  
11    there any sort of interest on the  
12    subcommittee, in changing the terms of  
13    reference, from say, a one year appointment to  
14    a two year appointment, to give those folks a  
15    little more time to dig into issues and become  
16    knowledgeable on whatever issue -- efforts  
17    that NOAA is making, or others are making,  
18    because sometimes, obviously, these efforts  
19    take a fair amount of time.

20                   So, those are two issues I think  
21    you may want to raise with the Committee.

22                   MR.     FRANKE:     Wasn't     there     the

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1 additional issue of increasing the number?

2 MR. DUNN: Yes, right, additional --  
3 because was there -- is there an interest in  
4 bringing additional folks onboard, given the  
5 gaps that are present, may be present?

6 MR. FRANKE: Yes, I think that when  
7 I talked to Mark, and I rolled it out right at  
8 the beginning, in my initial comments, I think  
9 there was an assumption that based on Mark's  
10 comments, that we were going to go ahead and  
11 move forward with expanding the Working Group,  
12 subject to this group's approval. Tom?

13 MR. RAFTICAN: Do we need a motion  
14 on that?

15 MR. FRANKE: I think protocol-wise,  
16 yes, let's go ahead with a motion.

17 MR. RAFTICAN: I'd like to make a  
18 motion to expand the scope and the time frame.

19 DR. DANA: Do you mean by scope --

20 MR. FRANKE: Yes, the topic was  
21 exclusively to increase the membership to  
22 include some areas of the country that may not

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1 have already been included. That was  
2 specifically what was made.

3 MR. DUNN: For example there, one of  
4 the geographic areas, which is --

5 DR. DANA: No, I understand, I just  
6 want to make sure I understood this motion  
7 correctly.

8 MR. DUNN: Caribbean, we don't have  
9 someone from the Caribbean.

10 MS. DOERR: So, Tom, you made the  
11 motion to increase the term and the --

12 MR. RAFTICAN: Scope.

13 MS. DOERR: -- regional scope --  
14 then include members for each region, but it -  
15 - has there been an discussion the time frame,  
16 time extension? Like, just how long? I mean,  
17 it's what, a one or two year thing right now?

18 MR. FRANKE: I would recommend that  
19 we do one item at a time, so, let's deal with  
20 the expansion first, and then we can go ahead  
21 with a separate motion regarding the time,  
22 after we've discussed it a little.

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1 (Off the record comments.)

2 MR. FRANKE: So, we have a motion to  
3 expand the numbers of the working group. Do  
4 we have a second?

5 MS. DOERR: I second that.

6 MR. FRANKE: Any discussion? Okay,  
7 if we can vote. All in favor?

8 (Chorus of ayes.)

9 MR. FRANKE: Nays? Unanimous?

10 (Off the record comments.)

11 MR. FRANKE: There you go. Let's  
12 talk about the -- I agree with the comment  
13 about Russell, as far as duration. Patty, do  
14 you want to have any opening comments about  
15 duration, from your view?

16 MS. DOERR: I was just wondering if  
17 -- because I had missed a couple of meetings,  
18 so, I didn't know if there was a discussion as  
19 to how much to extend the time period.

20 MR. DUNN: No, it was something that  
21 I think that -- that the NOAA folks said,  
22 about you all may want to discuss, and again,

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1 just the thinking being that one year in the  
2 world of fisheries is often a very short  
3 period of time.

4 This first period is a one year  
5 period, and is there interest on the  
6 committee, among -- about expanding it to a --  
7 some larger period of time?

8 MS. DOERR: Then the one year is up  
9 in February?

10 MR. DUNN: They were going -- yes --

11 MR. FRANKE: I'd like to jump in  
12 right here. Just, you know, knowing the  
13 process we went through vetting everything and  
14 getting the names and all the work that we did  
15 in Hawaii, et cetera, I'd like to make a  
16 recommendation that we definitely expand it to  
17 two years, protocol-wise, since the original  
18 announcement went out for one year, Russ, I'm  
19 not -- not familiar with what process, but I'd  
20 like to submit that we maybe do an initial  
21 vote, after we've arrived at a figure, to  
22 expand the existing group's tenure to that

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1 period, so that you all aren't scrabbling,  
2 trying to re-empanel another group of people.

3 MR. DUNN: Yes, I wouldn't disagree,  
4 I don't frankly know the protocols, but I  
5 think that's an appropriate solution, but I  
6 guess we can check with Mark, and find out  
7 what the -- if there is some set of hoops we  
8 have to jump through.

9 DR. CHATWIN: So, just my  
10 recollection on this issue, when discussed at  
11 the full committee, because this is the first  
12 time I'm sitting on this subcommittee, was  
13 that -- this is what I remember.

14 There was a request for a three  
15 year initial three year time period for the  
16 appointment of the working group members, yet,  
17 that was prepared with a specific purpose for  
18 that working group, which was to have that  
19 summit, and so, it seemed like there wasn't  
20 alignment between asking the committee to  
21 commit to three years, when the task at hand  
22 was just that summit.

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1           That's my recollection of the  
2 discussion, in that. So, I would suggest that  
3 when you take to the full committee, your new  
4 time line, that you have a clear message of  
5 what it is that you hope they will achieve  
6 within that time line. So, that it will give  
7 substance to -- more backing to that two year  
8 period.

9           I agree with the rationale, that  
10 you've gone through a whole, you know,  
11 concerted effort to get this working group  
12 established, for the benefit -- but I think it  
13 would make a better pitch, if you come in and  
14 say, "Within these two years, these are the  
15 things that we want them to accomplish."

16           MR. FRANKE: Yes, I'm going to ask  
17 Heidi to go pull the notes of the initial  
18 public announcement that was made, because I  
19 think that was outlined.

20           But as I recall, I think it was one  
21 year, with, you know, an open door. Next, was  
22 Pam and then, Patty.

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1 DR. DANA: Yes, obviously, we're  
2 going to have to ask Heidi to look at -- I  
3 don't recall the three year. I'm not opposed  
4 to the three year, but I don't recall that.

5 I do know that it was an initial  
6 one year, with the potential for extending  
7 that term, based on value added, which from  
8 this discussion, there is value added.

9 MR. FRANKE: Patty, and then Tom.

10 MS. DOERR: We discussed this  
11 originally at the Silver Spring meeting, last  
12 November, and my recollection is kind of like  
13 Tony's, and that, I think the original  
14 proposal put forth was kind of three years,  
15 then there was a good hour or so worth of  
16 discussion, and it kind of ended up as  
17 focusing on the summit, on planning the  
18 summit, and then any outcomes of the summit,  
19 and then that -- and it was kind of like,  
20 three years is a lot -- it's really, right  
21 now, the goal of the summit, but there were  
22 these other issues within research and

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1 planning catch shares and everything else.

2 And so, it was kind of pared down  
3 to one year, with the summit in mind, and I  
4 think --

5 DR. DANA: That full committee was  
6 the time --

7 MS. DOERR: Yes, so this -- and so  
8 then --

9 MR. FRANKE: And what you're  
10 recalling is what I recall, about paring it  
11 down and dealing with the summit through the  
12 first year.

13 MS. DOERR: Yes, given that the  
14 summit didn't really happen all that long ago,  
15 I mean, I think the case can be made that it  
16 should be extended to be able to fully work on  
17 all the issues that came out of that summit.

18 MR. RAFTICAN: I would go along -- I  
19 remember that meeting correctly. It wasn't  
20 like calling the Chairs and stuff in Alaska,  
21 but I mean, it got to be pretty pretentious,  
22 and if I remember correctly, it was the --

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1 there might have been dollar considerations or  
2 something, and what will we do, going forward.

3 I'm not sure, but it did go on for about an  
4 hour.

5 MS. DOERR: Yes, and I remember the  
6 dollars --

7 MR. RAFTICAN: That was associated  
8 with the annual cost of that or something --

9 MS. DOERR: You mean, the Alaska

10 DR. DANA: Yes, the Alaska, there  
11 was really issues with the proposal to bring  
12 together the recreational group --

13 MR. RAFTICAN: I think it's  
14 important to make the case, as to, there were  
15 no recreational fisheries around for a while -  
16 - this is continuing, two years from now --

17 MR. FRANKE: Gordon?

18 MR. COLVIN: One thing that I do  
19 recall from the original discussion was that  
20 some of the issues about duration did turn  
21 around the question of, what's in the terms of  
22 reference for the group, and that focused, to

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1 a great degree, on the summit, as has been  
2 indicated here, and it might be useful to, at  
3 the same time you talk in terms of extending  
4 the life of the group, to revisit the terms of  
5 reference and to try to re-frame them in the  
6 context of the action agenda, as it emerges.

7 MR. DUNN: I think the action agenda  
8 is -- it will also assist NOAA in keeping  
9 focused on the action agenda, in addition to  
10 giving sort of an objective for you all to  
11 grab onto.

12 For example, what I was just  
13 looking up here was, Doug Boyd, who is one of  
14 the Rec Working Group folks, he is agreed to  
15 serve on the Steering Committee for this  
16 barotrauma workshop, and so, we are  
17 incorporating folks, you know, wherever we  
18 can, from the Rec Fisheries Working Group.

19 DR. DANA: Okay, do you have a  
20 motion on the floor, or was that -- does that  
21 remain here, the motion that we expand the --  
22 the additional year --

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1 MR. FRANKE: If I could get just one  
2 minute to research, I think I have the terms  
3 in here that I can give to everybody.

4 I have the actual final report we  
5 gave at the last meeting.

6 DR. DANA: Okay.

7 MR. FRANKE: Okay, this is the terms  
8 of reference. Let's see, Recreational Fishing  
9 Working Group and Saltwater Fishing Summit,  
10 establishment of recreational fisheries  
11 working group was endorsed by MAFAC November  
12 2009 meeting and appointments to the working  
13 group were announced March 19<sup>th</sup>.

14 The purpose, specifically, of the  
15 working group is to advise MAFAC on issues of  
16 importance to the recreational fishing  
17 community, including, but not limited to, the  
18 Ocean Policy Task Force report, review and  
19 possible revision of the NOAA recreational  
20 fisheries strategic plan, marine spatial  
21 planning, catch share policy and other such  
22 recreational fisheries issues identified as

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1 appropriate by MAFAC.

2 Let's see here, I do not have the  
3 duration, but I do personally recall that it  
4 was going to be a one year deal. I'm still  
5 reading, here.

6 Yes, I do not have the duration in  
7 my notes. In order, on a go-forward basis,  
8 because I'm quite certain that we did have a  
9 three year period specified, as I recall, it  
10 was a one year deal.

11 I would like to make a motion to  
12 expand the tenure of the existing working  
13 group to two years, and as Tom recommended,  
14 that as new appointments are made, their  
15 duration be two years from the date of their  
16 appointment. Did you get that, or do you want  
17 me to repeat it?

18 DR. DANA: The motion expands the  
19 current tenure on the working group to two  
20 years, from the date of each -- of what?

21 MR. FRANKE: Date of appointment.

22 DR. DANA: Each members'

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1 appointment, so, in the event of the new  
2 people, their two year would start -- do we  
3 have a number -- when Tom, he made the motion  
4 to increase the number of members that are  
5 represented -- represent our nation's  
6 geography, what number is that?

7 MR. DUNN: I believe that there is a  
8 cap already in place -- 25? I was going to  
9 say 26, and that right now, we're two or three  
10 short of -- two short, okay.

11 MR. COLVIN: We're at 22, I believe.

12 MR. DUNN: Twenty-two, so, we're  
13 three short of that. So, there is a cap in  
14 place already.

15 DR. DANA: Okay, so, I'll just put  
16 in your motion not to --

17 PARTICIPANT: Does that cap still  
18 work, or do you need more --

19 MR. DUNN: No, I think that was --  
20 from the NOAA perspective, that will work. We  
21 just didn't know what -- in terms of a  
22 priority for you all, should it become a

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1 priority for NOAA, to find those additional  
2 three members, to fill out the working group,  
3 because there isn't a requirement to have the  
4 25, but you know, we got to 22, it seemed  
5 appropriate, now that we've been able to  
6 identify some gaps, such as Caribbean, and so,  
7 we could -- if you all are interested, then go  
8 ahead and expand up to that.

9 MR. FRANKE: Patty, next, and then I  
10 believe Tony, you had your arm up.

11 MS. DOERR: Is there some sort of  
12 technical, legal thing that needs to be  
13 addressed, in terms of the Federal Register  
14 Notice, with the terms, the length of the  
15 terms for members?

16 I can't remember if the Federal  
17 Register Notice specifies -- I mean, it would  
18 be good to know that, if the Federal Register  
19 Notice that created the working group,  
20 specifies the terms, because if it's specifies  
21 a one year term, you might have to go in and  
22 re-notice it.

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1 MR. DUNN: That's not particularly  
2 difficult.

3 MS. DOERR: Okay, yes, I mean, just  
4 something that -- to put on the list of things  
5 to ask Heidi about.

6 MR. FRANKE: Tony, did you have  
7 something?

8 DR. CHATWIN: It's just, I guess, a  
9 practical issue, if there is interest in  
10 staggering terms, and you are expanding  
11 everybody's term for two years, and then  
12 everybody that comes on has two years, you're  
13 going to have -- you could reappoint everybody  
14 for another two years?

15 I mean, if you want to stagger and  
16 have people roll off and roll back on, you  
17 might want to say something along the lines  
18 that when -- from here on forward -- yes, you  
19 could say that when the -- the first year  
20 expires, new appointees will have a two year  
21 term, and some of the current appointees can  
22 be extended for another year, so that you

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1 would have some people going off after two  
2 years from the original establishment of the  
3 group, and then some people coming off at  
4 three years.

5 MR. FRANKE: How about a  
6 recommendation along the lines of, we would  
7 recommend to NOAA, develop a transitional  
8 process for outgoing --

9 MR. DUNN: That's what I was going  
10 to say, dump it in our lap, in terms of --

11 MR. FRANKE: Yes.

12 MR. DUNN: -- laying out a plan for  
13 staggering, so, you don't have to --

14 MR. FRANKE: So, let's deal with the  
15 first recommendation, and see where -- the two  
16 year piece --

17 DR. DANA: So, again, there is a  
18 motion to expand the current tenure of the  
19 working group to two years, from the date of  
20 each member's appointment, okay --

21 MR. FRANKE: Should I amend that,  
22 though, based on our conversation, Russ, to

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1 say, or at a transitional time, as determined  
2 by NOAA, that way, it could be two and a half  
3 years? I'm trying to think of a proper way to  
4 do that that gives you flexibility.

5 MR. DUNN: Yes, maybe --

6 DR. DANA: Maybe assign NOAA the  
7 discretion to --

8 MR. DUNN: Develop a --

9 MR. FRANKE: Transitional strategy?

10 MR. DUNN: I don't know if  
11 transitional is quite the right word, but --  
12 what does the -- the staggering of  
13 appointments --

14 MR. FRANKE: So, I'm going to amend  
15 it, basically, that recommendation, that the  
16 tenure be increased to two years for those  
17 existing members of the working group, with a  
18 caveat that NOAA have authority to extend that  
19 period, to develop a transitional process time  
20 frame.

21 (Off the record comments.)

22 MR. FRANKE: Did that make sense, or

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1 was it too wordy? Okay, I can type that for  
2 you. Tony, does that meet the needs of your  
3 comment, just now?

4 DR. CHATWIN: I'm sorry.

5 MR. FRANKE: Okay.

6 DR. CHATWIN: What was the language?

7 MR. FRANKE: You're going to make me  
8 say it again? That's dangerous, that the time  
9 period for the recreational fishing working  
10 group be extended to two years, with the  
11 caveat that NOAA have the discretion to extend  
12 that period, in order to develop a  
13 transitional strategy for membership --

14 MS. DOERR: Continuity.

15 MR. FRANKE: Pardon me?

16 MS. DOERR: Membership continuity.

17 MR. FRANKE: Continuity, I like that  
18 word, there you go.

19 DR. DANA: With the extent that --  
20 with the caveat that NOAA be given the  
21 discretion --

22 MR. FRANKE: To extend the duration

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1 of membership, turn it over to Patty.

2 MS. DOERR: To ensure continuity.

3 MR. FRANKE: To ensure group  
4 continuity and knowledge.

5 MS. DOERR: Historical,  
6 institutional --

7 MR. FRANKE: How perfect, but you  
8 had continuity.

9 MS. DOERR: I had continuity, yes.

10 MR. FRANKE: This is a group effort  
11 here. So, we've got a motion -- we have a  
12 motion on the floor. Do we have a second for  
13 the motion? Okay.

14 MR. RAFTICAN: I'll second that.

15 DR. DANA: Ken made the motion to  
16 extend the current tenure of the working group  
17 to two years, with the caveat that NOAA be  
18 given the discretion to extend the duration of  
19 membership to ensure continuity and  
20 historical, institutional knowledge.

21 MR. FRANKE: So, we have a motion on  
22 the floor. Do we have a second?

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1 MR. RAFTICAN: I second.

2 MR. FRANKE: Second by Tom Raftican.

3 Discussion? Vote? All in favor?

4 (Chorus of ayes.)

5 MR. FRANKE: Nays? None. Unanimous? (Off the  
6 record comments.)

7 MR. FRANKE: I think that was the  
8 last component of it, correct?

9 MR. DUNN: Did you get the new  
10 member component, or was that --

11 MR. FRANKE: Yes, we did.

12 DR. DANA: Tom Raftican made the  
13 motion the expand the committee membership to  
14 better represent national groups. The only  
15 thing I'm struggling with is the --

16 MR. DUNN: I actually meant the  
17 duration for the new membership, because what  
18 you just read, I --

19 DR. DANA: We made the motion to  
20 expand the current tenure of the working group  
21 --

22 MR. FRANKE: To two years, so it

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1 covers even new people.

2 MR. DUNN: See, to me, current  
3 tenure means those individuals who are already  
4 appointed. What if you said -- of appointed  
5 members, yes, the tenure of appointed members?

6 DR. DANA: Expand the tenure, it  
7 won't be the current tenure, the motion is  
8 expand the tenure of the working group to two  
9 years from the date of --

10 MR. FRANKE: Appointment, there you  
11 go.

12 DR. DANA: With the caveat that NOAA  
13 be given the discretion to extend the duration  
14 of membership to ensure continuity and  
15 institutional knowledge.

16 MR. FRANKE: Very good.

17 DR. DANA: Tom Raftican seconded,  
18 the committee voted unanimously.

19 MR. FRANKE: Accurate. Any other  
20 comments or suggestions? Well, thank you all  
21 very, very much, and we can take a break.

22 (Whereupon, the above-entitled

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1 matter went off the record at 4:31 p.m.)

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